



United City of Yorkville

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

www.yorkville.il.us

PLANNING AND ZONING

COMMISSION AGENDA

Wednesday, September 11, 2019

7:00 PM

Yorkville City Hall Council Chambers

800 Game Farm Road

Meeting Called to Order: 7:00 p.m.

Roll Call:

Previous meeting minutes: August 14, 2019

Citizen's Comments

Public Hearings

1. **PZC 2019-20** Charles and Gayle Ashley, petitioners, have filed an application with the United City of Yorkville, Kendall County, Illinois, requesting a reduction in front yard setback from 30 feet to 20 feet for a residential parcel located at 208 E. Main Street. The purpose of this request is to allow for the reconstruction of an attached covered porch, as was part of the original home, to be located within the required front yard. The real property, zoned R-2 Traditional Family Residence District, is located east of South Bridge Street (IL Route 47) and immediately south of East Main Street in Yorkville, Illinois.

Unfinished Business

New Business

1. **PZC 2019-20** Charles and Gayle Ashley, petitioners, have filed an application with the United City of Yorkville, Kendall County, Illinois, requesting a reduction in front yard setback from 30 feet to 20 feet for a residential parcel located at 208 E. Main Street. The purpose of this request is to allow for the reconstruction of an attached covered porch, as was part of the original home, to be located within the required front yard. The real property, zoned R-2 Traditional Family Residence District, is located east of South Bridge Street (IL Route 47) and immediately south of East Main Street in Yorkville, Illinois.

Action Item

Variance Request

2. **PZC 2019-21** Tyler Edwards, petitioner, on behalf of Menard., Inc. has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting final plat approval to resubdivide Lots 1 & 2 of the Menard's Commercial Commons, an approximately 37-acre parcel, located in the northeast quadrant of Marketview Drive and E. Countryside Parkway in Yorkville, Illinois.

Action Item

Final Plat Approval

Additional Business

1. City Council Action Updates:

PZC 2019-16 The United City of Yorkville, Kendall County, Illinois, petitioner, is proposing to amend Title 8, Chapter 2: Building Codes of the Municipal Code for the purpose of adopting the 2018 International Code Council series, inclusive of the International Fuel Gas Code (IFGC), International Plumbing Code (IPC), International Mechanical Code (IMC), International Property Maintenance Code (IPMC), International Fire Code (IFC), International Residential Code (IRC), International Building Code (IBC), International Existing Building Code (IEBC), Illinois Energy Conservation Code (IECC), International Swimming Pool and Spa Code (ISPSC), 2014 Illinois State Plumbing Code, Illinois State Accessibility Code and the 2017 National Electric Code (NEC).

City Council Action

First Reading scheduled for 9-10-19 City Council Meeting

PZC 2019-19 Leonard McEnery, on behalf of Lenny's Gas N Wash, LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting special use permit approval for a gasoline service station with accessory convenience store and ancillary car wash. Additionally, the petitioner is seeking sign variance approval to increase the maximum sign area for a monument sign in a business district from 64 square feet to 107 square feet. The property is zoned B-3 General Business District and is located at the northeast corner of the State Route 47 Waterpark Way intersection.

City Council Action

Update provided at Meeting

Adjournment

DRAFT

PLANNING & ZONING COMMISSION

City Council Chambers
800 Game Farm Road, Yorkville, IL
Wednesday, August 14, 2019 7:00pm

Meeting Called to Order

Chairman Jeff Olson called the meeting to order at 7:00pm, roll was called and a quorum was established.

Roll Call:

Rusty Hyett-yes, Don Marcum-yes, Jeff Olson-yes, Danny Williams-yes

Absent: Deborah Horaz, Richard Vinyard

City Staff

Krysti Barksdale-Noble, Community Development Director
Jason Engberg, Senior Planner
Pete Ratos, Code Official

Other Guests

Christine Vitosh, Vitosh Reporting Service
Lynn Dubajic, City Consultant
Brian Hartz, Gas N Wash
Kevin McEnery, Gas N Wash
Katie Finlon, *Kendall County Record*

Scott Pritchett, Gas N Wash
Lyman Tieman, Gas N Wash
Greg Galgan, Gas N Wash
Mark W. Schoppe

Previous Meeting Minutes July 10, 2019

The minutes were approved as presented on a motion and second by Commissioners Williams and Hyett, respectively.

Roll call: Hyett-yes, Marcum-abstain, Olson-yes, Williams-yes Carried 3 yes, 1 abstain

Citizen's Comments None

Public Hearings

Chairman Olson explained the procedure for the Hearings and swore in those who would speak. At approximately 7:03pm a motion was made and seconded by Mr. Williams and Mr. Hyett, respectively, to open the Hearings.

Roll call: Marcum-yes, Olson-yes, Williams-yes, Hyett-yes. Carried 4-0.

Chairman Olson read each of the Public Hearings as follows:

1. **PZC 2019-16** The United City of Yorkville, Kendall County, Illinois, petitioner, is proposing to amend Title 8, Chapter 2: Building Codes of the Municipal Code for the purpose of adopting the 2018 International Code Council series, inclusive of the International Fuel Gas Code (IFGC), International Plumbing Code (IPC),

International Mechanical Code (IMC), International Property Maintenance Code (IPMC), International Fire Code (IFC), International Residential Code (IRC), International Building Code (IBC), International Existing Building Code (IEBC), Illinois Energy Conservation Code (IECC), International Swimming Pool and Spa Code (ISPSA), 2014 Illinois State Plumbing Code, Illinois State Accessibility Code and the 2017 National Electric Code (NEC).

2. **PZC 2019-19** Leonard McEnery, on behalf of Lenny's Gas N Wash, LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting special use permit approval for a gasoline service station with accessory convenience store and ancillary car wash. Additionally, the petitioner is seeking sign variance approval to increase the maximum sign area for a monument sign in a business district from 64 square feet to 107 square feet. The property is zoned B-3 General Business District and is located at the northeast corner of the State Route 47 Waterpark Way intersection.

(See Court Reporter Transcripts)

(Responses to Standards for Case #PZC2019-19 Lenny's Gas N Wash to be entered into public record)

The Hearings were closed at approximately 7:25 pm on a motion by Mr. Marcum and second by Mr. Williams.

Roll call: Olson-yes, Williams-yes, Hyett-yes, Marcum-yes, Carried 4-0.

Unfinished Business

1. **PZC 2019-17** Margaret LeGrand, petitioner, has filed applications with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification and bulk regulation variance approval for the property located at 701 N. Bridge Street. The petitioner is requesting rezoning approval from B-1 Local Commerce Business District to R-2 Single-Family Traditional Residence District. Additionally, the petitioner is requesting a variance approval for minimum lot size, lot coverage, and front yard setback requirements within the R-2 Single-Family Traditional Residence District to allow the existing dwelling to remain on the property.

Due to an error at the previous PZC meeting, the lot coverage motion was misread. The correct motion is being read at this meeting and voted on for the official record.

Mr. Engberg noted that a separate motion sheet will be provided in the future to make it easier to find the proper motion.

Action Item

Variance Request

A motion was made by Mr. Williams to approve the request and seconded by Mr. Hyett. *Motion read by Mr. Williams:* In consideration of testimony presented during a Public Hearing on July 10, 2019 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request to vary the maximum

lot coverage for the R-2 District contained in Section 10-7-1 of the United City of Yorkville Zoning Code from 45 percent to 48 percent as stated in the staff memorandum dated July 1, 2019.

Roll call: Williams-yes, Hyett-yes, Marcum-yes, Olson-yes. Carried 4-0.

New Business

1. PZC 2019-16 Amend Building Codes (Description under Public Hearings)

Ms. Noble and Mr. Olson thanked Mr. Ratos for an outstanding job on this update. Mr. Ratos also created a website for other suggested changes and questions. He said he had requests for changes in the air conditioning code, however, it was decided not to make changes at this time.

Action Item

A motion was made by Mr. Williams to amend the Building Codes as presented and it was seconded by Mr. Hyett. *Motion read by Mr. Williams:* In consideration of testimony presented during a Public Hearing on August 14, 2019 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council a request to adopt the proposed 2018 series of International Codes, the Illinois State Accessibility Code, the 2014 Illinois State Plumbing Code, and the 2017 National Electric Code as summarized in a staff memorandum dated July 30, 2019.

Roll call: Williams-yes, Hyett-yes, Marcum-yes, Olson-yes. Carried 4-0.

2. PZC 2019-19 Lenny's Gas N Wash (Description under Public Hearings)

Mr. Engberg reviewed the various requirements and their request for a 40% larger sign, which staff supports. Mr. Engberg also said the plans for lighting, truck turning ability and landscaping need to be adjusted slightly as conditions of the Special Use. He said overall the project is compatible with the Comprehensive Plan. He reviewed the comments made at the previous Economic Development Committee meeting and said the project must comply with all the comments from EEI and for the landscaping. Final plat approval is also being requested.

Chairman Olson reviewed the Findings of Fact for the Special Use and Ms. Noble added that a dormant SSA would be required. He also read the Findings of Fact for the Sign Variance.

Action Item

Special Use for Fuel/Gasoline Service Station

Commissioners Williams and Marcum moved and seconded, respectively, to approve the Special Use. *Motion read by Mr. Williams:* In consideration of testimony presented during a Public Hearing on August 14, 2019 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request for Special Use authorization for a fuel/gasoline service station with accessory car wash to be located at the northeast corner of State Route 47 and Waterpark Way subject to the conditions enumerated in a staff memorandum dated August 7, 2019.

Roll call: Hyett-yes, Marcum-yes, Olson-yes, Williams-yes. Carried 4-0.

Action Item

Sign Variance Request

Mr. Marcum and Mr. Williams moved and seconded, respectively, to approve the sign variance. *Motion read by Mr. Williams:* In consideration of testimony presented during a Public Hearing on August 14, 2019 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a request to vary the sign regulations contained in Section 10-20-9-A of the United City of Yorkville Zoning Ordinance to permit a free standing monument sign in a business district to be larger than 64 square feet in sign area subject to the conditions enumerated in a staff memorandum dated August 7, 2019

Roll call: Marcum-yes, Olson-yes, Williams-yes, Hyett-yes. Carried 4-0.

Action Item

Final Plat Approval

Mr. Williams moved and Mr. Hyett seconded a motion to recommend approval of the Final Plat. *Motion read by Mr. Hyett:* The Planning and Zoning Commission recommends approval to the City Council of a request for Final Plat of Subdivision of the Lenny's Gas N Wash in Yorkville subject to final engineering approval as enumerated in a letter from Engineering Enterprise Incorporated dated June 9, 2019 and August 7, 2019 and subject to the conditions enumerated in a staff memorandum dated August 7, 2019.

Roll call: Olson-yes, Williams-yes, Hyett-yes, Marcum-yes Carried 4-0.

Additional Business

1. City Council Action Updates

Mr. Engberg noted petitions approved by City Council since the last PZC meeting.

Chairman Olson also inquired about the status of the landscaping contractor north of Bristol from a previous PZC meeting. He has since moved to the Fox Industrial Park. He was actually in the County territory and the PZC reviewed his request as a 1.5 Mile Review. He has a special use from the County for the mulch.

Adjournment

There was no further business and the meeting was adjourned at 7:58pm on a motion by Mr. Williams and second by Mr. Hyett. Unanimous voice vote approval.

Respectfully submitted by Marlys Young, Minute Taker

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5 UNITED CITY OF YORKVILLE

6 YORKVILLE, ILLINOIS

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9 PLANNING AND ZONING COMMISSION

10 PUBLIC HEARING

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16 800 Game Farm Road

17 Yorkville, Illinois

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21 Wednesday, August 14, 2019

22 7:00 p.m.

23
24
Vitosh Reporting Service

815.993.2832 cms.vitosh@gmail.com

1 PRESENT:

2 Mr. Jeff Olson, Chairman,

3 Mr. Donald Marcum,

4 Mr. Danny Williams,

5 Mr. Rusty Hyett.

6
7 ALSO PRESENT:

8 Ms. Krysti Barksdale-Noble, Community
9 Development Director;

10 Mr. Jason Engberg, Senior Planner,

11 Ms. Marlys Young, Minute Taker,

12 Mr. Pete Ratos, Building Code Official.

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1 (WHEREUPON, the following
2 proceedings were had in
3 public hearing:)

4 CHAIRMAN OLSON: There are two public
5 hearings scheduled for tonight's Planning and
6 Zoning Commission meeting.

7 The purpose of this hearing is to
8 invite testimony from members of the public
9 regarding the proposed request that is being
10 considered before the Commission tonight.

11 Public testimony from persons
12 present who wish to speak may be for or against
13 the request or to ask questions of the petitioner
14 regarding the request being heard.

15 Those persons wishing to testify are
16 asked to speak clearly, one at a time, and state
17 your name and who you represent at the podium.
18 You are also asked to sign in at the podium, or I
19 saw the sign-in sheet going around already.

20 If you plan to speak tonight during
21 the public hearing as a petitioner or a member of
22 the public, please stand now, raise your right
23 hand, and repeat after me.

24 (Witnesses sworn.)

1 CHAIRMAN OLSON: Thank you.

2 The order for receiving testimony
3 tonight during the public hearing will be as
4 follows: First, the petitioner presentations;
5 second, those who wish to speak in favor of the
6 request; and third, those who wish to speak in
7 opposition of the request.

8 May I please have a motion to open
9 the public hearing on Petition number PZC
10 2019-16, United City of Yorkville, International
11 Code Adoption, and PZC 2019-19, Lenny's Gas N
12 Wash special use?

13 MR. WILLIAMS: Moved.

14 MR. HYETT: Second.

15 CHAIRMAN OLSON: Roll call vote on the
16 motion, please.

17 MS. YOUNG: Yes. Marcum.

18 MR. MARCUM: Yes.

19 MS. YOUNG: Olson.

20 CHAIRMAN OLSON: Yes.

21 MS. YOUNG: Williams.

22 MR. WILLIAMS: Yes.

23 MS. YOUNG: Hyett.

24 MR. HYETT: Yes.

1 CHAIRMAN OLSON: Public hearings up for
2 discussion tonight are the following: PZC
3 2019-16, United City of Yorkville, Kendall
4 County, Illinois, petitioner, is proposing to
5 amend Title 8, Chapter 2, Building Codes of the
6 Municipal Code for the purpose of adoption of the
7 2019 International Code Council Series, inclusive
8 of -- it's a long list here -- the International
9 Fuel Gas Code, the International Plumbing Code,
10 International Mechanical Code, International
11 Property Maintenance Code, International Fire
12 Code, International Residential Code,
13 International Building Code, International
14 Existing Building Code, International -- I'm
15 sorry, Illinois Energy Conservation Code,
16 International Swimming Pool and Spa Code, 2014
17 Illinois State Plumbing Code, Illinois State
18 Accessibility Code, and the 2017 National
19 Electric Code.

20 The second public hearing tonight is
21 PZC 2019-19, Leonard McEnery, I believe, on
22 behalf of the Lenny's Gas N Wash, LLC,
23 petitioner, has filed an application with the
24 United City of Yorkville, Kendall County,

1 Illinois, requesting special use permit approval
2 for a gasoline service station with accessory
3 convenience store and ancillary car wash.

4 Additionally, the petitioner is
5 seeking sign variance approval to include the
6 maximum sign area for a monument sign in a
7 business district from 64 square feet to
8 107 square feet.

9 The property is zoned B-3, General
10 Business District, and is located at the
11 northeast corner of State Route 47 Waterpark Way
12 intersection.

13 Mr. Ratos, would you please --

14 MR. RATOS: Sure.

15 CHAIRMAN OLSON: -- present your memo
16 for PZC 2019-16, United City of Yorkville
17 International Code adoption?

18 MR. RATOS: Absolutely. We are looking
19 to update our International Building Code from
20 the 2009 we are currently on, 2018 building code
21 cycle, which incorporates all the codes Mr. Olson
22 stated.

23 In addition to that, we've also made
24 amendments to the codes that keep it in spirit

1 with our traditions in the area here and our
2 existing amendments, and also the amendments of
3 Kendall County, Oswego, Montgomery, other
4 communities that directly correlate with our
5 community.

6 During the preparation of this code
7 update, the City worked with the Building and
8 Fire Code Academy, which is one of the -- which
9 is the largest in Illinois outside consultant
10 firm for building code matters.

11 We also worked with code officials
12 from Oswego and the code official from Kendall
13 County, because of the ration out there both
14 updating the 2018 code, and we wanted to kind of
15 stay in lock step with them, where they're going
16 to be at.

17 The major amendment change made --
18 we have requested be made to the code is the
19 removal of fire sprinklers for residential
20 homes.

21 While this has been -- I can't say
22 it's -- the fire department is happy, the
23 Bristol-Kendall Fire Department is happy we have
24 amended this out, there are safeguards that are

1 in the code now that if you were to remove that
2 standard, it increases the standard of
3 construction of houses to make them more fire
4 resistant and safer for first responders.

5 We would love to include it, but
6 from what we've found from voters and things, it
7 would push the price threshold of the homes in
8 the area to where they sold the building
9 exponentially, and also with the addition of the
10 restrictions and requirements of new
11 construction, we kind of feel that it would
12 offset the not having fire suppression.

13 CHAIRMAN OLSON: Can you detail these?

14 MR. RATOS: Absolutely. When you don't
15 have fire suppression, it requires if you have
16 any engineered materials forming your floor
17 joists, in the basement you have the sheet, 3/4
18 inch structural sheet, fire retardant lines, or a
19 fire retardant membrane, one of those, 1.5 hour,
20 so drywall, fire tape, and that would be every
21 penetration, nothing is allowed through that,
22 because as we found in the past that these
23 engineered products tend to burn pretty fast and
24 they maintain structural support until they put

1 any weight on them, so that would be part of
2 that.

3 Also, any structures built closer --
4 if you don't have fire suppression, if you're
5 closer to ten feet from the building line, you
6 would have to actually do the bottom -- the
7 course of your plywood would have to be
8 fire-rated plywood, so instead of -- It increases
9 all those thresholds, where if your -- Currently
10 right now in our code, if you were to build a
11 home and be nine foot off the property line, you
12 could just put a standard window and standard
13 plywood.

14 In the new code, it would actually
15 require you'd have to have fire-rated plywood on
16 the entire side of the building and your windows
17 would have to be tempered and also treated to
18 resist the damage, so maintaining that
19 hour-and-a-half barrier.

20 There is also a requirement for a
21 flame spread analysis of all the materials in the
22 house and the interior finishes, so if anyone is
23 familiar with the natural fiber wallpaper, that
24 burns very, very well, so in today's code, we

1 don't have anything to address that.

2 If I go in a house and walk through
3 and it's got the natural, you won't -- it would
4 burn very easily.

5 CHAIRMAN OLSON: If the fire is -- or if
6 the wallpaper is made of matchsticks?

7 MR. RATOS: Yeah. You know, bamboo
8 fiber is one of the more popular ones now, and in
9 the current code we address flame spread on a
10 commercial aspect, we don't discuss it on
11 residential.

12 This brings that entire discussion
13 to residential in this new code if you don't have
14 fire suppression, and on top of that, there is
15 also a smoke spread index and it drops your
16 amount of --

17 CHAIRMAN OLSON: I didn't know what that
18 smoke spread index was.

19 MR. RATOS: It basically says that a
20 material -- every material has -- it would have a
21 flame spread and smoke spread index, so if you
22 were to say, you know, burn a propylene carpet
23 type material, it would release X amount --

24 CHAIRMAN OLSON: X amount of smoke? I

1 got you.

2 MR. RATOS: -- of cubic feet of smoke
3 per however many yards of fabric you burn, and so
4 on a commercial building, for example, you will
5 see how a lot of times in hotels, you see the
6 carpet -- hotels and hospitals, you'll see the
7 carpet feels different on your feet and it looks
8 different, that's the side that's treated to not
9 have a high smoke spread.

10 CHAIRMAN OLSON: I got you.

11 MR. RATOS: It will smolder and die
12 instead of actually combust. Residential carpet,
13 it will just burn.

14 So for some reason if we get a
15 builder come in and they want to, you know, use
16 that high-end wallpaper and super high-end plush
17 natural wool -- which does exist -- carpet, that
18 has a super high flame spread and smoke index, we
19 will say you can do it, but you're going to have
20 to fire suppress it, so we will not have
21 problems.

22 CHAIRMAN OLSON: So although we're not
23 going all the way with the sprinklers, this is a
24 significant upgrade to the fire suppression code.

1 MR. RATOS: Yes. Yes.

2 CHAIRMAN OLSON: Okay.

3 MR. RATOS: Like I said, it's the --

4 There is a lot of increased standards, and that's
5 one of the issues with the current one right now,
6 is they just assume that everyone would say okay,
7 fire sprinklers are the way to go, when we found
8 most communities are -- most communities around
9 the country have amended that portion out and
10 then pretty much left the code open for you can
11 do whatever you wanted, you can do whatever you
12 want as long as the code -- we amend it on fire
13 suppression, so we have different thresholds on
14 height and everything like that, and that was
15 assumed everyone would be fire suppressed.

16 This does not assume that at all.
17 If you amend it out, a whole new set of criterias
18 come in.

19 CHAIRMAN OLSON: Sure. Are there any
20 other highlights from the different International
21 Code books we are picking up?

22 MR. RATOS: You know, there's been a lot
23 of incremental changes over the years. We're
24 three code cycles behind right now.

1 CHAIRMAN OLSON: 2007 or whatever.

2 MR. RATOS: We are 2008 right now and we
3 are going to 2018.

4 Another one of the big areas they
5 address clearly in the modern code compared to
6 the one we are on is solar and different types of
7 energy solutions.

8 For example, if you see houses and
9 the rear of the house, the entire rear of the
10 house, is covered with solar panels, that's not
11 going to -- that's not going to be allowed under
12 this new code section, not because of not wanting
13 people to generate their own energy, it's not
14 allowed because they have to allow at least three
15 feet from the outside edge of the roof for a
16 pathway for first responders, and they all have
17 to have a clear path to the center of the roof as
18 well. So it's just more of a design criteria.

19 What they found is that there is a
20 fire and firefighters were trying to get up to
21 the roof and there is nowhere to access the rear
22 of the property.

23 In more extreme cases where they put
24 up a 25-kilowatt system for the entire roof, they

1 can't access it at all, so how do they get up
2 there and cut holes in the middle of the
3 structure? They're tearing off solar panels and
4 it doesn't work.

5 There also -- It also clearly
6 defines all the signage we need to have on all
7 the assorted components. It sounds silly to say,
8 but a really large red sticker on the disconnect
9 box up on the eave of the roof, can't look down
10 by where the electric panel is at. It can make
11 all the difference for smoke, and smoke is
12 flying, they've got their masks on, they might
13 pull a disconnect and it could be the wrong one,
14 assuming there's three or four right there.
15 They're stickered now, but just a slower
16 disconnect.

17 In the new code it requires exact --
18 the same stickers for everything, so that it's
19 universal.

20 MR. WILLIAMS: Question, Pete. Current
21 existing structures, those won't be grandfathered
22 in, correct? Those will have to be updated to
23 the code?

24 MR. RATOS: No, those will stay the way

1 they are.

2 MR. WILLIAMS: Oh, okay. Because I know
3 there could be a number where solar panels just
4 cover the whole back of the roof, so I just
5 wanted to see if that would be --

6 MR. RATOS: Those will all be -- those
7 are all grandfathered in as of now. The only way
8 they would have to come to code is if you were
9 to -- basically have to remodel 51 percent or
10 greater of the structure, and then even that is
11 subject to -- the aspect of the code also says
12 structure by level, so if you were to say if you
13 had a -- God forbid something happened to the
14 rear of your house, you would have to come up
15 with 51 percent of the structure, first floor
16 ranch is gone, we are not to going make you
17 update the entire basement to code as well
18 because that's not the same level.

19 MR. WILLIAMS: Gotcha. Thank you.

20 CHAIRMAN OLSON: Anything else, Pete?

21 MR. RATOS: Just one more thing is
22 Property Maintenance Code, we have adjusted that
23 a little bit, and the biggest section we have
24 added is dead trees.

1 Right now we currently have
2 restrictions and ability to issue fines and
3 citations or citations to bring a hearing for
4 emerald ash borer and ash or elm trees.

5 You have a new section about trees
6 in the Property Maintenance Code because we found
7 that as time goes on, we all know different types
8 of arbor diseases and things affect trees, oak
9 blight, the blaze, the disease is that's hitting
10 a lot of the varieties now, it ends up leaving a
11 lot of dead trees in the community.

12 While we understand that it's not --
13 it's expensive to remove the trees, we would like
14 to be able to have a way, a mechanism, to try to
15 get enforcement on that because even though it's
16 on your property, your property abuts a neighbor,
17 neighbor's house has little kids running around,
18 some of these trees can be in excess of 100,
19 150 feet height. If they fall, they're not
20 necessarily going to fall on your own property.

21 CHAIRMAN OLSON: Is there anyone --
22 Anything else?

23 MR. RATOS: That's fine.

24 CHAIRMAN OLSON: Thank you. Is there

1 anyone who wishes to speak in favor of their
2 request tonight?

3 (No response.)

4 CHAIRMAN OLSON: Is there anyone who
5 wishes to speak in opposition of their request
6 tonight?

7 (No response.)

8 CHAIRMAN OLSON: Is there any other
9 questions for Pete right now?

10 (No response.)

11 CHAIRMAN OLSON: All right. Is the
12 petitioner for PZC 2019-19 present and prepared
13 to make their presentation of the proposed
14 request?

15 LYMAN TIEMAN,
16 having been first duly sworn, testified from the
17 podium as follows:

18 MR. TIEMAN: Good evening, my name is
19 Lyman Tieman. I am the attorney for Len McEnery,
20 and Len is the sole member and manager of Lenny's
21 Gas N Wash Yorkville, LLC, that was set up
22 specifically for the purpose of acquiring
23 5.04 acres of property on the northeast corner of
24 Waterpark Way and Route 47.

1 The property that we are
2 acquiring -- We are under contract currently.
3 The property that we are acquiring is from the
4 Betty O'Keefe Limited Family Partnership, which
5 is the owner of the entire tract, which is
6 currently 72 acres.

7 What we're looking to do -- We filed
8 several applications with Yorkville. What we're
9 looking to do is come in and obtain a special use
10 permit from the City of Yorkville to allow for a
11 gas station, convenience store, car wash, to
12 operate on that corner.

13 We've also filed a petition for a
14 plat of subdivision to take the piece of
15 property that we are acquiring, break that into
16 two lots.

17 Lot 1 would be our property at
18 5.04 acres, Lot 2 would be a right-of-way
19 dedication, 55 feet, to the Illinois Department
20 of Transportation that fronts on 47, and we have
21 made an application for a sign variance, not to
22 vary the height or anything of that nature, but
23 to vary the square footage of the sign from
24 64 feet to I think it's 107 square feet because

1 of the setback from the corner to allow a little
2 bit more readable in light of the fact that there
3 will be a 55-foot dedication to the Illinois
4 Department of Transportation, and to provide
5 adequate area on the monument sign to allow for
6 the E85 fueling as well as the diesel fueling and
7 the car fueling and any other advertisements that
8 we have for the operation within the convenience
9 store.

10 The convenience store would be
11 7,000 square feet. We are intending to have two
12 food vendors within the convenience store. One
13 is for certain, which is Dunkin Donuts; the other
14 one is still kind of up in the air, somewhere
15 between a Pop's roast beef and a taco facility
16 within the convenient store.

17 We have segregated the car fueling
18 more in the front of the property from the diesel
19 fueling, more off to the side and rear of the
20 property.

21 We are currently in contact with the
22 Illinois Department of Transportation to obtain
23 approval for a right-in/right-out on 47.

24 You know, we've met with Krysti,

1 we've met with Jason, we've met with the Economic
2 Development Committee, and we've gone through the
3 stages up until now.

4 We have attempted all throughout the
5 course of the process to refine our site plan to
6 bring it into compliance with signage and
7 landscaping and other requirements, setbacks,
8 other bulk requirements of the City of Yorkville.

9 I have with me tonight, if you have
10 any specific questions, or they can give you a
11 presentation, but I've brought with me this
12 evening Kevin McEnery, who is the brother of the
13 owner, Len McEnery, and he is representing
14 ownership.

15 We also have Brian Hertz, who is our
16 civil engineer from MG2A & Associates in
17 Manhattan. We also have Scott Pritchett with
18 Arsa Associates, who is our architect on the
19 project, and we have Greg Galgan, who is going to
20 lead up the construction phase of the project.

21 If we are able to move this project
22 forward, we would like to be in a position to
23 break ground and begin construction immediately
24 after approval by the City Council, hopefully to

1 get far enough along so that we don't get held
2 back by the winter weather that I think we're all
3 going to see at some point in time.

4 We are hoping to close on the
5 property somewhere around the 13th or the 15th of
6 September and begin construction immediately,
7 unless the seller would give us permission to
8 begin construction a little bit early, and we're
9 working on that right now, trying to make contact
10 with the seller to accomplish that.

11 We think this will be a good project
12 for the City. It's certainly I think compatible
13 with what exists there currently. We've got the
14 waterpark basically to the east and parking lot
15 for the waterpark to the south of us.

16 Our property is currently zoned B-3,
17 the 72 acres is zoned B-3. The property to the
18 east and south of us -- properties to the east
19 and south -- east and south are currently zoned
20 B-3, and the property across 47 is zoned R-4,
21 which my understanding is that was zoned a while
22 back for a residential subdivision that so far
23 really hasn't taken root.

24 So we believe that we're going to be

1 compatible with all of the existing zoning and
2 potential future uses in the area, and we are
3 excited. We want to be in the City of Yorkville
4 and we want to move this project forward as
5 quickly as we can.

6 If you have any questions, we'd be
7 happy to address them.

8 CHAIRMAN OLSON: We'll get through the
9 questions and comments and I'll probably circle
10 back for additional questions once we get back to
11 talk about that.

12 Is there anyone present who wishes
13 to speak in favor of the request? Please state
14 your name.

15 LYNN DUBAJIC,
16 having been first duly sworn, testified from the
17 podium as follows:

18 MS. DUBAJIC: I'm Lynn Dubajic and I am
19 Economic Development Coordinator for the City of
20 Yorkville.

21 I've had the pleasure of working
22 with this team for a number of months now and I
23 just wanted to give you a couple highlights on
24 the project from my perspective, from an economic

1 development perspective.

2 This is a great project for our
3 community. It creates somewhere around 40 jobs
4 and it is a need in the area.

5 We understand that many people --
6 with the proximity to the waterpark, many people
7 leave our waterpark, leave Yorkville, go north on
8 47 and need to get supplies or put gas in their
9 car and they leave our community and they drive
10 outside of our community to make these
11 transactions.

12 It's an area that was identified a
13 while ago and brought to our attention, my
14 attention, as a high priority to attract
15 something like this, so it was a priority for our
16 community.

17 Also, originally you may remember
18 this company had been working with them at a
19 property on 34. At that time they were going to
20 do a convenience -- a C store that was only at
21 4800 square feet, and this one is now
22 7,000 square feet, so there is much more that
23 they are bringing to this site. It allows them
24 to be able to do so, so --

1 CHAIRMAN OLSON: For reference,
2 7,000 square feet is like half the size of a
3 Walgreens, so --

4 MS. DUBAJIC: Yes.

5 CHAIRMAN OLSON: -- it's a nice sized
6 building.

7 MS. DUBAJIC: It's a very nice sized
8 building. And adding, you know, not only the
9 Dunkin Donuts, but the other food choice is a
10 nice food amenity near the waterpark.

11 The other thing that I wanted to
12 mention is the remainder of that property that is
13 owned by the O'Keefe family is still very large,
14 and we are also very hopeful -- I talked with the
15 O'Keefe family today.

16 We are also very hopeful that this
17 will act as another catalyst to maybe get some
18 other things happening up there, so very key to
19 future planning, and I'm very excited about the
20 project as well.

21 And also, I know that they spoke
22 about getting started very quickly because they
23 want to get started before the weather gets cold
24 and unable to work, and it is their goal to

1 actually open in the spring and be open before
2 the waterpark opens next May, so -- which will be
3 a wonderful thing because it will allow that to
4 be seamless, so when the waterpark opens, it will
5 be there and operational.

6 Thank you.

7 CHAIRMAN OLSON: Thank you. Does anyone
8 else wish to speak in favor of the request?

9 (No response.)

10 CHAIRMAN OLSON: Does anyone wish to
11 speak in opposition to the request?

12 (No response.)

13 CHAIRMAN OLSON: Seeing as -- Well,
14 actually, are there any other questions from the
15 commissioners right now? Otherwise, we can go
16 over it -- Okay.

17 MR. MARCUM: You've got this letter from
18 the landscape guy who apparently didn't like the
19 original plan. Has that all been taken care of?

20 MR. ENGBERG: Oh, the landscape plan,
21 yeah, it's -- everything will be a condition of
22 the special use. Any comments within the
23 landscape plan or EEI will be part of the special
24 use to rectify that situation before anything

1 gets going.

2 MR. MARCUM: Yeah, because I picked up
3 he didn't like it.

4 MR. ENGBERG: Yes.

5 MR. MARCUM: The original plan. I am
6 very astute that way.

7 MR. ENGBERG: Yes.

8 MR. MARCUM: And the driveway turning
9 radius has been taken care of and the lighting
10 has been --

11 MR. ENGBERG: So the original plans that
12 were brought in during plan council have been
13 adapted and changed to the most current version
14 that are attached. The driveway has been moved
15 back, some of the landscaping they are changing.

16 At the Economic Development
17 Committee some other comments were made about the
18 landscaping along 47 that they added in, just
19 that strip, that 55-foot strip, they had some
20 trees in there.

21 A comment was made that those are
22 going to get ripped out when IDOT takes over,
23 could you try and get them onto your property on
24 that front, so we're not just putting in trees

1 and ripping them out, so those comments will be
2 all conditional on the special use.

3 CHAIRMAN OLSON: All right. It is a
4 special use, we need to -- okay.

5 Would the petitioner like to have
6 your responses to the standards which you
7 submitted previously entered in the public
8 record?

9 MR. TIEMAN: No.

10 MS. NOBLE: We would recommend that you
11 enter your responses to the standards for special
12 use into the record.

13 MR. LYMAN: Oh, I'm sorry. I'm sorry, I
14 misunderstood. Yes, we would ask that you adopt
15 the standards that we had indicated with our
16 application for special use.

17 MS. NOBLE: Thank you.

18 CHAIRMAN OLSON: Okay. Thank you. All
19 right.

20 Since all public testimony regarding
21 these petitions has been taken, may I have a
22 motion to close the taking of testimony in this
23 public hearing, please?

24 MR. MARCUM: So moved.

1 MR. WILLIAMS: Second.
2 CHAIRMAN OLSON: Roll call vote on the
3 motion, please.
4 MS. YOUNG: Yes. Olson.
5 CHAIRMAN OLSON: Yes.
6 MS. YOUNG: Williams.
7 MR. WILLIAMS: Yes.
8 MS. YOUNG: Hyett.
9 MR. HYETT: Yes.
10 MS. YOUNG: Marcum.
11 MR. MARCUM: Yes.
12 CHAIRMAN OLSON: The public hearing
13 portion in tonight's meeting is closed.
14 (Which were all the
15 proceedings had in the
16 public hearing portion
17 of the meeting.)

18 ---o0o---
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1 STATE OF ILLINOIS)
2) SS.
3 COUNTY OF LASALLE)

4 I, Christine M. Vitosh, a Certified Shorthand
5 Reporter, do hereby certify that I transcribed
6 the proceedings from the audio recording taken at
7 the meeting and that the foregoing, Pages 1
8 through 29, inclusive, is a true, correct and
9 complete computer-generated transcript of the
10 proceedings had at the time and place aforesaid.

11 I further certify that my certificate annexed
12 hereto applies to the original transcript and
13 copies thereof, signed and certified under my
14 hand only. I assume no responsibility for the
15 accuracy of any reproduced copies not made under
16 my control or direction.

17 As certification thereof, I have hereunto set
18 my hand this 28th day of August, A.D., 2019.

19 _____
20 Christine M. Vitosh, CSR
21 Illinois CSR No. 084-002883
22
23
24

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Memorandum

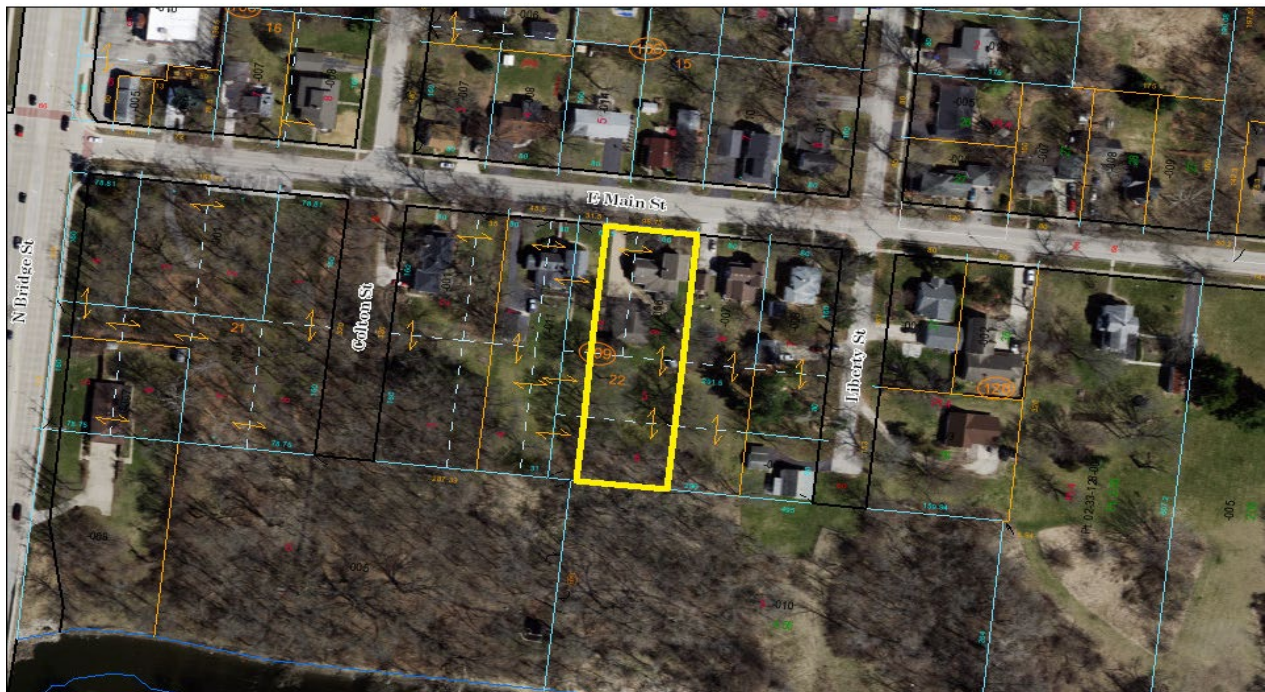
To: Planning and Zoning Commission
From: Krysti Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Jason Engberg, Senior Planner
Date: August 7, 2019
Subject: **PZC 2019-20 208 E. Main Street – Front Yard Setback Variance**

SUMMARY:

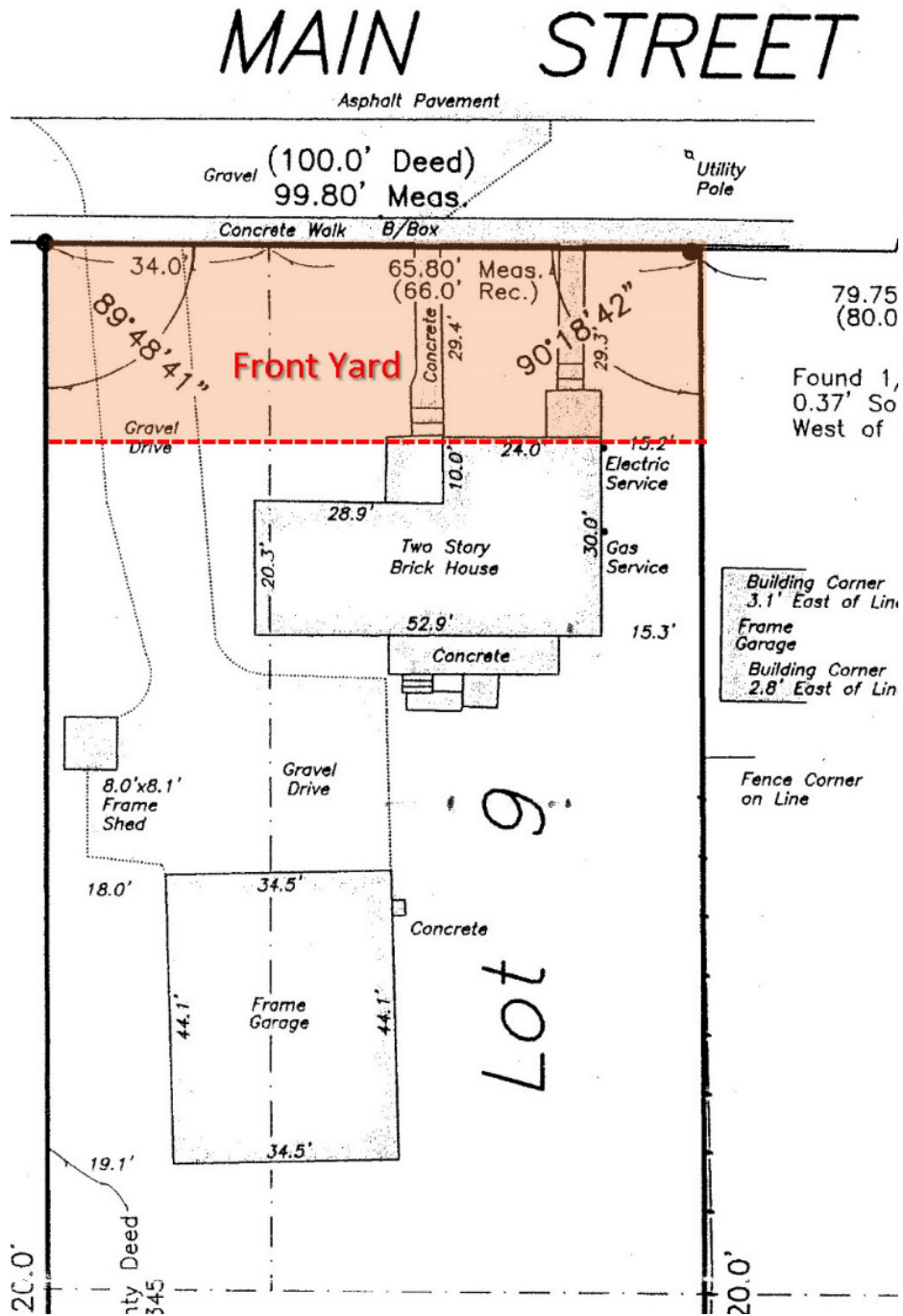
The petitioners, Charles and Gayle Ashley, have filed an application with the United City of Yorkville, Kendall County, Illinois, requesting a reduction in the front yard setback from the required minimum 30 feet from the property line to the building to 20 feet for a residential parcel located at 208 E. Main Street. The property is zoned R-2 Traditional Family Residence District and purpose of the request is to allow for the reconstruction of an attached covered porch, as was part of the original home, to be located within the required front yard. The proposed porch will reflect the established neighborhood character and forward the goals of the recently adopted Neighborhood Design Manual.

PROPERTY BACKGROUND:

The property, a two-story is located approximately 2 blocks east of IL Rte. 47 (N. Bridge Street) on Main Street surrounded by similar single-family homes in the older residential part of Yorkville. This parcel, as well as the adjacent parcels, was platted as a narrow, deep lot which backs up to wooded open space and the Fox River. This area of the City was developed prior to any modern zoning regulations existed in Yorkville and therefore the structures and parcels in the area may or may not conform to current code standards.

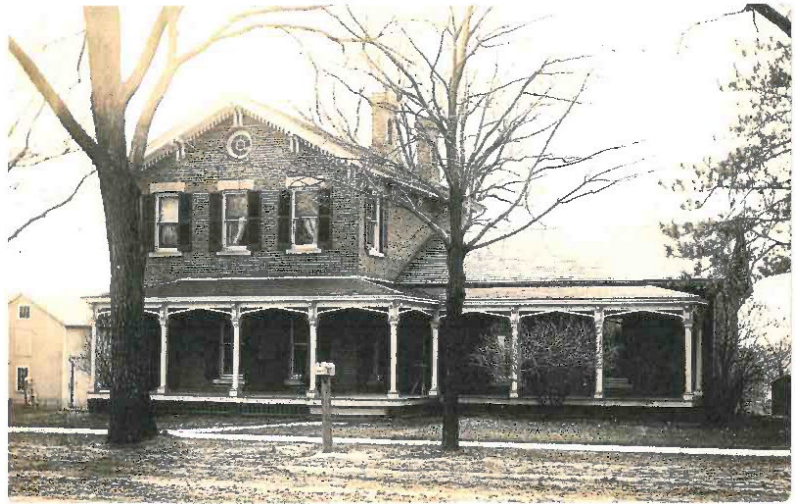


As currently situated, the nearest distance from the property line to the edge of the home is approximately 29.4'. However, the existing front stoop extends an additional eight feet (8') into the yard, effectively rendering the front setback at 21.4', less than the required minimum 30 feet for the R-2 zoning district. Therefore, this property is considered "legally non-conforming" since its non-conformity existed prior to the adoption of the current ordinance. The exhibit below illustrates where the house is located on the parcel. The required front yard is shaded and shows the existing stoop.



PROJECT DESCRIPTION:

The two-story brick residence, as seen in the picture to the right, was originally built circa 1860 with architectural features common to Victoria Stick Style homes. These features include steep gable and side gable rooflines; rectangular windows in a simple pattern of one-over-one; and unusually announced porches with large brackets that form curved diagonal braces. At some point, the front façade of the home was altered to remove the covered porch and the current homes exterior is depicted in the images below.



As proposed, the petitioners are seeking to rebuild the one-story porch to the existing front façade of the home in its original location. The porch would extend approximately thirty-two (32) feet across the front plane of the house and project out about eight (8) feet into the front yard, following the line of the existing front stoop. The covered roof of the porch would be approximately ten (10) feet in height and the floor material will be a one inch (1”) thick composite deck. The overall setback will essentially remain at its current distance of 21’-4” if the variance is approved.

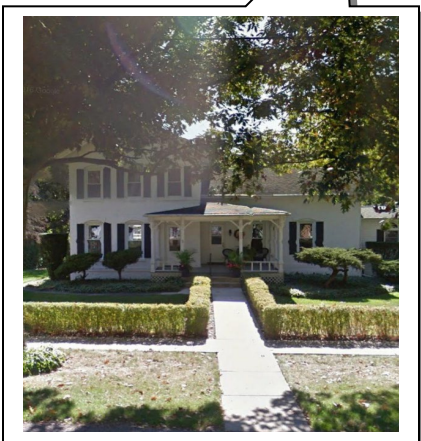
VARIANCE REQUEST:

Section 10-7-1 of the City’s Zoning Ordinance requires all buildings located in the R-2 Single-Family Traditional Residence District to maintain a minimum front yard setback of thirty feet (30’). Although the current home does not maintain this setback, it is non-conforming to this standard, Section 10-15-3-B-3 states the non-conforming structure can be maintained, repaired or altered but cannot expand or create any additional nonconformities. Therefore, the petitioner is seeking the variance so that they are legally allowed to encroach, expand and alter their home to the newly requested setback of 20 feet and not constrained, now or in the future, by the current non-conforming status.

NEIGHBORHOOD DESIGN:

In February 2019, the City Council adopted the Neighborhood Design Manual, which is geared towards retaining and enhancing the character and livability of Yorkville's traditional neighborhoods. As part of this non-binding manual, guidelines were established for renovation and new construction with the goal of any repair or reconstruction blending into the fabric of the surrounding neighborhood. Specifically, regarding porches, the Neighborhood Design Manual acknowledges that "the front porch can be a great place to relax and enjoy the breeze on a cool summer evening" and therefore recommends when renovating an existing home in the older parts of town, "care should be taken to preserve or replicate the styling of historic elements...into the new design." Additionally, the Comprehensive Plan designates this area as "Traditional Neighborhood Residential" which encourages the current residential character.

The petitioners main purpose is to replace the previous porch feature onto their home as it was originally built. They also desire to enhance the character of their home with the addition of this architectural element and "bring back some old-time touches" to the neighborhood, as other homes also have front porches. Furthermore, the variance for the front yard setback is consistent with the established neighborhood frontage and the addition of the requested porch would maintain that line, as illustrated in the aerial below.



STANDARDS FOR GRANTING A VARIANCE:

The Planning and Zoning Commission must base its decision to vary, or recommend varying, the Petitioner's request for relief of the Zoning Ordinance regulation upon the following standards (Section 10-4-7-C):

1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out.
2. The conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classification.
3. The alleged difficulty or hardship is caused by this title and has not been created by any person presently having an interest in the property.
4. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
5. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger to the public safety, or substantially diminish or impair property values within the neighborhood.
6. The proposed variation is consistent with the official comprehensive plan and other development standards and policies of the city.

The petitioners have provided responses to these standards in their application materials which they request to be entered into the record.

STAFF COMMENTS

Staff is supportive of the request for front yard setback reduction as proposed by the petitioners. The original architecture of the home was designed with a Victorian Stick Style porch, similar to the surrounding residences. Additionally, the property, and most properties within the neighborhood, are legally non-conforming with regards to front yard setbacks, as they were built prior to the modern zoning code. Finally, the proposed porch would not change the character of the street line and is consistent with the recently adopted Neighborhood Design Manual and Comprehensive Plan.

PROPOSED MOTIONS:

In consideration of testimony presented during a Public Hearing on September 11, 2019 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a requested reduction in the front yard setback in the R-2 Single-Family Traditional Residence District regulations from the required minimum 30 feet from the property line to the building to 20 feet for a residential parcel located at 208 E. Main Street and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

ATTACHMENTS:

1. Petitioner Application (with attachments)
2. Public Hearing Notice



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR VARIANCE

INTENT AND PURPOSE:

The purpose of a variance is to provide relief from certain regulations of the zoning ordinance to permit the use of land in a way that is not otherwise permitted under the ordinance. A variance is granted when the terms of the zoning ordinance, if literally applied, would create an unreasonable hardship on the landowner, making the property virtually useless.

This packet explains the process to successfully submit and complete an Application for a Variance Request. It includes a detailed description of the process and the actual application itself. Please type the required information in the application on your computer. The application will need to be printed and be signed by the petitioner. The only item that needs to be submitted to the city from this packet is the application. The rest of the packet is to help guide you through the process unto completion.

For a complete explanation of what is legally required throughout the Variance Request process, please refer to "Title 10, Chapter 4, Section 7 Variations" of the Yorkville, Illinois City Code.

APPLICATION PROCEDURE:



STAGE 1: APPLICATION SUBMITTAL

The following must be submitted to the Community Development Department:

- One (1) original signed application with legal description.
- Three (3) 11" x 17" copies each of the exhibits, proposed drawings, location map, and site plan. Large items must be folded to fit in a 10" x 13" envelope.
- Appropriate filing fee.
- One (1) CD or portable USB drive containing one (1) electronic copy (pdf) of each of the following: signed application (complete with exhibits), proposed drawings, location map, and site plan. A Microsoft Word document with the legal description is also required.

Within one (1) week of submittal, the Community Development Department will determine if the application is complete or if additional information is needed. These materials must be submitted a minimum of forty five (45) days prior to the targeted Planning and Zoning Commission meeting. An incomplete submittal could delay the scheduling of the project. The Kendall County Soil and Water Conservation District requires Natural Resource Inventory (NRI) applications from petitioners seeking variances. A copy of this application can be found on the District's website (www.KendallSWCD.org).

Petitioner will be responsible for payment of recording fees and public hearing costs, including written transcripts of the public hearing and outside consultant costs (i.e. legal review, land planner, zoning coordinator, environmental, etc.). The petitioner will be required to establish a deposit account with the city to cover these fees. The Petitioner Deposit Account/Acknowledgment of Financial Responsibility form is attached to this document and must be submitted with the application.



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APPLICATION FOR VARIANCE

STAGE 2: PLANNING AND ZONING COMMISSION

Petitioner will attend a public hearing conducted by the Planning and Zoning Commission. The Planning and Zoning Commission meets on the 2nd Wednesday of the Month at 7:00pm. Notice will be placed in the Kendall County Record by the United City of Yorkville. The petitioner is responsible for sending certified public hearing notices to adjacent property owners within five hundred (500) feet of the subject property no less than fifteen (15) days and no more than thirty (30) days prior to the public hearing date. Twenty four (24) hours prior to the public hearing, a certified affidavit must be filed by the petitioner with the Community Development Department containing the names, addresses and permanent parcel numbers of all parties that were notified. The Certified Mailing Affidavit form is attached to this document and must be submitted prior to the scheduled Planning and Zoning Commission meeting.

If the Planning and Zoning Commission decides that the requested variance adheres to the standards set forth by the Illinois municipal code, then the variance may be granted under these instances and no others:

- To permit any yard or setback less than the yard or setback required by the applicable regulations, but by no more than twenty-five percent (25%).
- To permit the use of a lot or lots for a use otherwise prohibited solely because of insufficient area or widths of the lot or lots but in no event shall the respective area and width of the lot or lots be less than ninety percent (90%) of the required area and width. The percentage set forth in this subsection is not to be reduced by any other percentage for minimum lot width and area set forth in this title.
- To permit the same off street parking facility to qualify as required facilities for two (2) or more uses provided the substantial use of such facility by each use does not take place at approximately the same hours of the same days of the week.
- To reduce the applicable off street parking or loading facilities required by not more than one (1) parking space or loading space, or twenty percent (20%) of the applicable regulations, whichever number is greater.
- To increase by not more than twenty five percent (25%) the maximum distance that required parking spaces are permitted to be located from the use served.
- To allow for the deferment, or land banking, of required parking facilities for a reasonable period of time, such period of time to be specified in the variance.
- To increase by not more than ten percent (10%) the maximum gross floor area of any use so limited by the applicable regulations.
- To exceed any of the authorized variations allowed under this subsection when a lot of record or a zoning lot, vacant or legally used on the effective date hereof, is, by reason of the exercise of the right of eminent domain by any authorized governmental domain proceeding, reduced in size so that the remainder of said lot of record or zoning lot or structure on said lot does not conform with one or more of the regulations of the district in which said lot of record or zoning lot or structure is located.

If the Planning and Zoning Commission decides the requested variance follows the Illinois standards but is not included in the list of instances above, then the variance must be approved by City Council.

STAGE 3: CITY COUNCIL

If necessary, the petitioner will attend a City Council public hearing where the Planning and Zoning Commission decision will be discussed and reviewed. The City Council meets on the 2nd and 4th Tuesdays of the month at 7:00pm. Variations other than those listed above may be granted by the City Council, but only after a public hearing for an authorized variation. The concurring vote of two-thirds (2/3) of all members of the City Council shall be necessary to reverse the recommendations of the Planning and Zoning Commission.



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APPLICATION FOR VARIANCE

DORMANT APPLICATIONS

The Community Development Director shall determine if an application meets or fails to meet the requirements stated above. If the Director determines that the application is incomplete it will become dormant under these circumstances:

- The petitioner has been notified of such deficiencies and has not responded or provided a time line for completing the application within ninety (90) days from the time of notification.
- The petitioner has not responded in writing to a request for information or documentation from the initial plan commission review within six (6) months from the date of that request.
- The petitioner has not responded to a request for legal or engineering deposit replenishment for city incurred costs and fees within ninety (90) days from the date of the request.

If the Community Development Director has sent the required notice and the petitioner has not withdrawn their application or brought it into compliance, then the director shall terminate the application. After termination, the application shall not be reconsidered except after the filing of a completely new application.

Withdrawal or termination of an application shall not affect the petitioner's responsibility for payment of any costs and fees, or any other outstanding debt owed to the city. The balance of any funds deposited with the city that is not needed to pay for costs and fees shall be returned to the petitioner. (Ord. 2011-34, 7-26-2011)



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APPLICATION FOR VARIANCE

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input type="checkbox"/> Plat <input type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres <i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i> _____ - 5 = _____ x \$10 = _____ + \$200 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
ZONING VARIANCE	<input checked="" type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$ \$585
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00		Total: \$
PUD FEE	<input type="checkbox"/> \$500.00		Total: \$
FINAL PLAT FEE	<input type="checkbox"/> \$500.00		Total: \$
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input type="checkbox"/> Over 1 acre, less than 10 acres <input type="checkbox"/> Over 10 acres, less than 40 acres <input type="checkbox"/> Over 40 acres, less than 100 acres <input type="checkbox"/> Over 100 acres	\$5,000.00 \$10,000.00 \$15,000.00 \$20,000.00 \$25,000.00	Total: \$
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use: <input type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres		Total: \$
TOTAL AMOUNT DUE:			\$585



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APPLICATION FOR VARIANCE

DATE: 6-20-19	PZC NUMBER:	DEVELOPMENT NAME:
PETITIONER INFORMATION		
NAME: CHUCK & GAYLE ASHLEY	COMPANY:	
MAILING ADDRESS: 208 E. MAIN		
CITY, STATE, ZIP: YORKVILLE, IL 60560	TELEPHONE: 630-553-6414	
EMAIL: ASHLEY4649@SBCGLOBAL.NET	FAX:	
PROPERTY INFORMATION		
NAME OF HOLDER OF LEGAL TITLE: CHARLES & GAYLE ASHLEY		
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN: N/A		
PROPERTY STREET ADDRESS: 208 E. MAIN YORKVILLE		
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: SAME AS ABOVE		
CURRENT ZONING CLASSIFICATION: R2		
ZONING AND LAND USE OF SURROUNDING PROPERTIES		
NORTH: R2		
EAST: R2		
SOUTH: R1		
WEST: R2		
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)		
0233109000		



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APPLICATION FOR VARIANCE

ATTORNEY INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS: <i>N/A</i>	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
ENGINEER INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS: <i>N/A</i>	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
LAND PLANNER/SURVEYOR INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS: <i>N/A</i>	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
ATTACHMENTS	
<p>Petitioner must attach a legal description of the property to this application and title it as "Exhibit A".</p> <p>Petitioner must list the names and addresses of any adjoining or contiguous landowners within 500 feet of the property that are entitled notice of application under any applicable City Ordinance or State Statute. Attach a separate list to this application and title it as "Exhibit B".</p>	
VARIANCE STANDARDS	
<p>PLEASE CONFIRM THE PROPOSED VARIATION IS CONSISTENT WITH THE OFFICIAL COMPREHENSIVE PLAN AND OTHER DEVELOPMENT STANDARDS AND POLICIES OF THE CITY.</p> <p><i>YES</i></p>	



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APPLICATION FOR VARIANCE

VARIANCE STANDARDS

PLEASE STATE THE VARIANCE REQUESTED AND THE CITY ORDINANCE INCLUDING THE SECTION NUMBERS TO BE VARIED:

REQUEST A VARIANCE OF THE FRONT YARD SET BACK IN THE R-2 DISTRICT
FROM 30' TO 20' TO ACCOMMODATE A FRONT PORCH
TITLE 10, CH. 11 - ARTICLE C - SECTION 10-11 C-3.

PLEASE STATE HOW THE PARTICULAR SURROUNDINGS, SHAPE OR TOPOGRAPHICAL CONDITIONS OF THE SPECIFIC PROPERTY INVOLVED, A PARTICULAR
HARDSHIP TO THE OWNER WOULD RESULT, AS DISTINGUISHED FROM A MERE INCONVENIENCE, IF THE STRICT LETTER OF REGULATIONS WAS CARRIED OUT:

WE WOULD NOT BE ABLE TO CONSTRUCT A FRONT PORCH AS WAS ORIGINALLY
PART OF THE HOME

PLEASE STATE HOW THE CONDITIONS UPON WHICH THE APPLICATION FOR A VARIATION IS BASED ARE UNIQUE TO THE PROPERTY FOR WHICH THE VARIATION
IS SOUGHT AND ARE NOT APPLICABLE, GENERALLY, TO OTHER PROPERTY WITHIN THE SAME ZONING CLASSIFICATION:

HOME WAS CONSTRUCTED BEFORE THE RULES WERE ESTABLISHED
CREATING SET BACKS.

PLEASE STATE HOW THE ALLEGED DIFFICULTY OR HARDSHIP IS CAUSED BY THIS TITLE AND HAS NOT BEEN CREATED BY ANY PERSON PRESENTLY HAVING AN
INTEREST IN THE PROPERTY:

HOME WAS CONSTRUCTED BEFORE THESE RULES WERE CREATED.
MANY OTHER HOMES IN THIS NEIGHBORHOOD HAVE PORCHES THAT WOULD
NOT MEET TODAY'S STANDARDS.



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APPLICATION FOR VARIANCE

VARIANCE STANDARDS

PLEASE STATE HOW THE GRANTING OF THE VARIATION WILL NOT BE DETRIMENTAL TO THE PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD IN WHICH THE PROPERTY IS LOCATED:

THIS PORCH WILL MATCH OTHERS IN THE NEIGHBORHOOD, ENHANCE THE HOME, AND BRING BACK SOME OLD TIME TOUCHES TO THE NEIGHBORHOOD

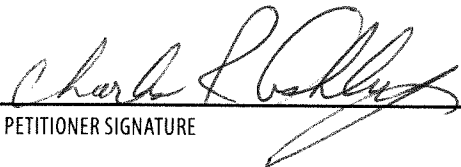
PLEASE STATE HOW THE PROPOSED VARIATION WILL NOT IMPAIR AN ADEQUATE SUPPLY OF LIGHT AND AIR TO ADJACENT PROPERTY, OR SUBSTANTIALLY INCREASE THE CONGESTION IN THE PUBLIC STREETS, OR INCREASE THE DANGER TO THE PUBLIC SAFETY, OR SUBSTANTIALLY DIMINISH OR IMPAIR PROPERTY VALUES WITHIN THE NEIGHBORHOOD:

THIS PORCH WILL HAVE NO ADVERSE EFFECT ON ANY SURROUNDING PROPERTY

AGREEMENT

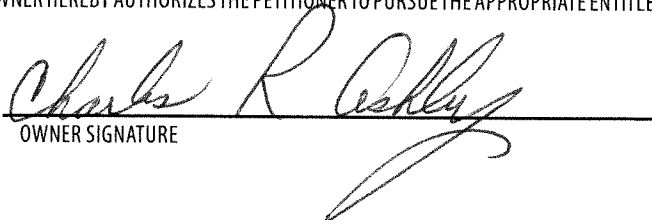
I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.

I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.


PETITIONER SIGNATURE

6-20-19
DATE

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.


OWNER SIGNATURE

6-20-19
DATE

**THIS APPLICATION MUST BE
NOTARIZED PLEASE NOTARIZE HERE:**



United City of Yorkville
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PETITIONER DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

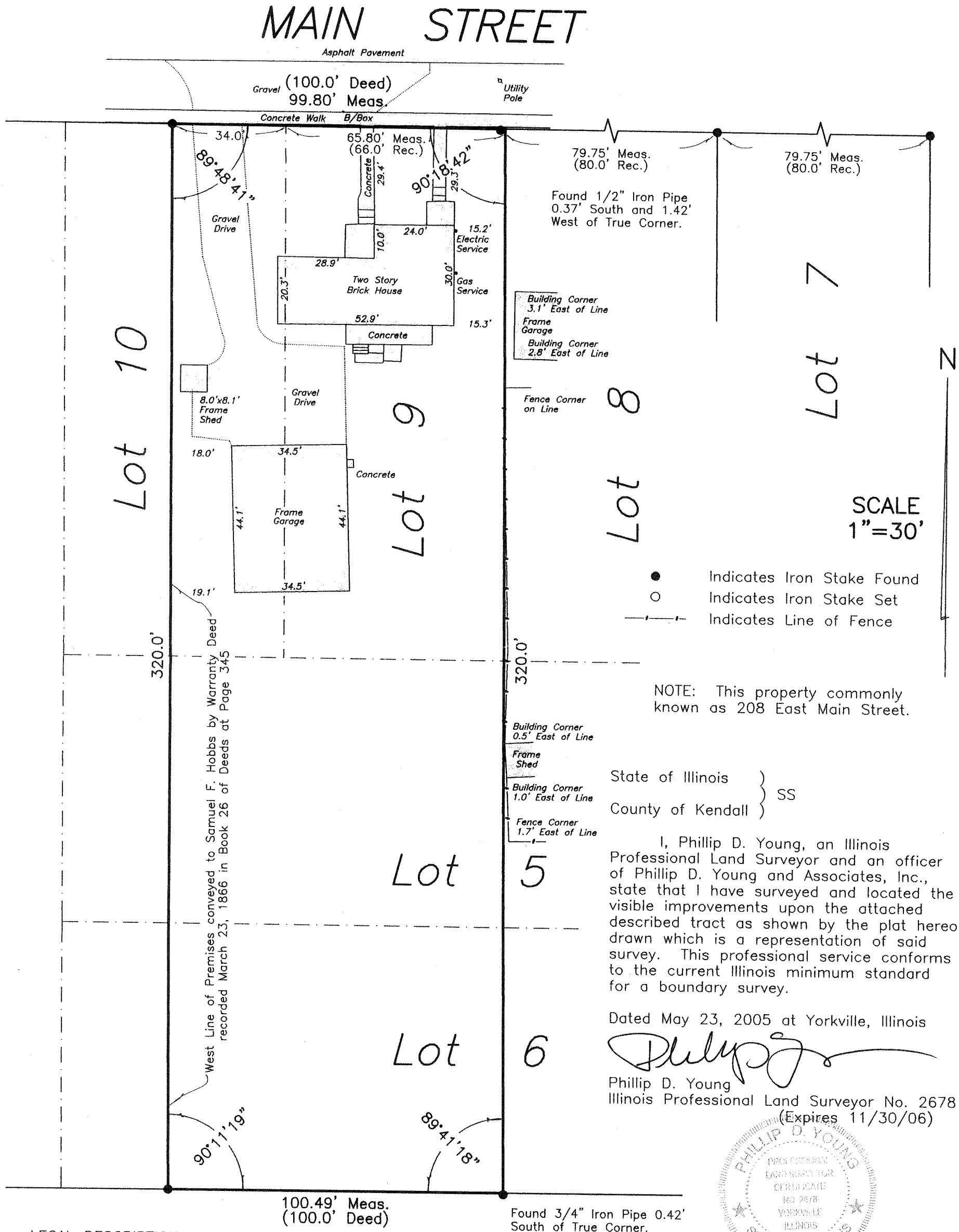
PROJECT NUMBER:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS:
APPLICATION/APPROVAL TYPE (check appropriate box(es) of approval requested):		
<input type="checkbox"/> CONCEPT PLAN REVIEW	<input type="checkbox"/> AMENDMENT (TEXT)	<input type="checkbox"/> ANNEXATION
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MILE AND 1/2 REVIEW	<input checked="" type="checkbox"/> ZONING VARIANCE
<input type="checkbox"/> FINAL PLANS	<input type="checkbox"/> PLANNED UNIT DEVELOPMENT	<input type="checkbox"/> FINAL PLAT
<input type="checkbox"/> REZONING		
<input type="checkbox"/> PRELIMINARY PLAN		
PETITIONER DEPOSIT ACCOUNT FUND: It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the INVOICE & WORKSHEET PETITION APPLICATION . This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15th of the month in order for the refund check to be processed and distributed by the 15th of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.		
ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY		
NAME: <u>CHUCK & GAYLE ASHLEY</u>		COMPANY:
MAILING ADDRESS: <u>2008 E. MAIN ST</u>		
CITY, STATE, ZIP: <u>YORKVILLE, IL 60560</u>		TELEPHONE: <u>630-553-6414</u>
EMAIL:		FAX:
FINANCIALLY RESPONSIBLE PARTY: I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/ Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.		
PRINT NAME		TITLE
SIGNATURE		DATE
ACCOUNT CLOSURE AUTHORIZATION		
DATE REQUESTED: _____		<input type="checkbox"/> COMPLETED <input type="checkbox"/> INACTIVE
PRINT NAME: _____		<input type="checkbox"/> WITHDRAWN <input type="checkbox"/> COLLECTIONS
SIGNATURE: _____		<input type="checkbox"/> OTHER
DEPARTMENT ROUTING FOR AUTHORIZATION:		<input type="checkbox"/> COM. DEV. <input type="checkbox"/> BUILDING <input type="checkbox"/> ENGINEERING <input type="checkbox"/> FINANCE <input type="checkbox"/> ADMIN.







PLAT OF SURVEY OF
LOT 9 AND PART OF LOTS 5, 6 AND 10 – BLOCK 22 – McCLELLAN'S ADDITION
YORKVILLE KENDALL COUNTY ILLINOIS



LEGAL DESCRIPTION:

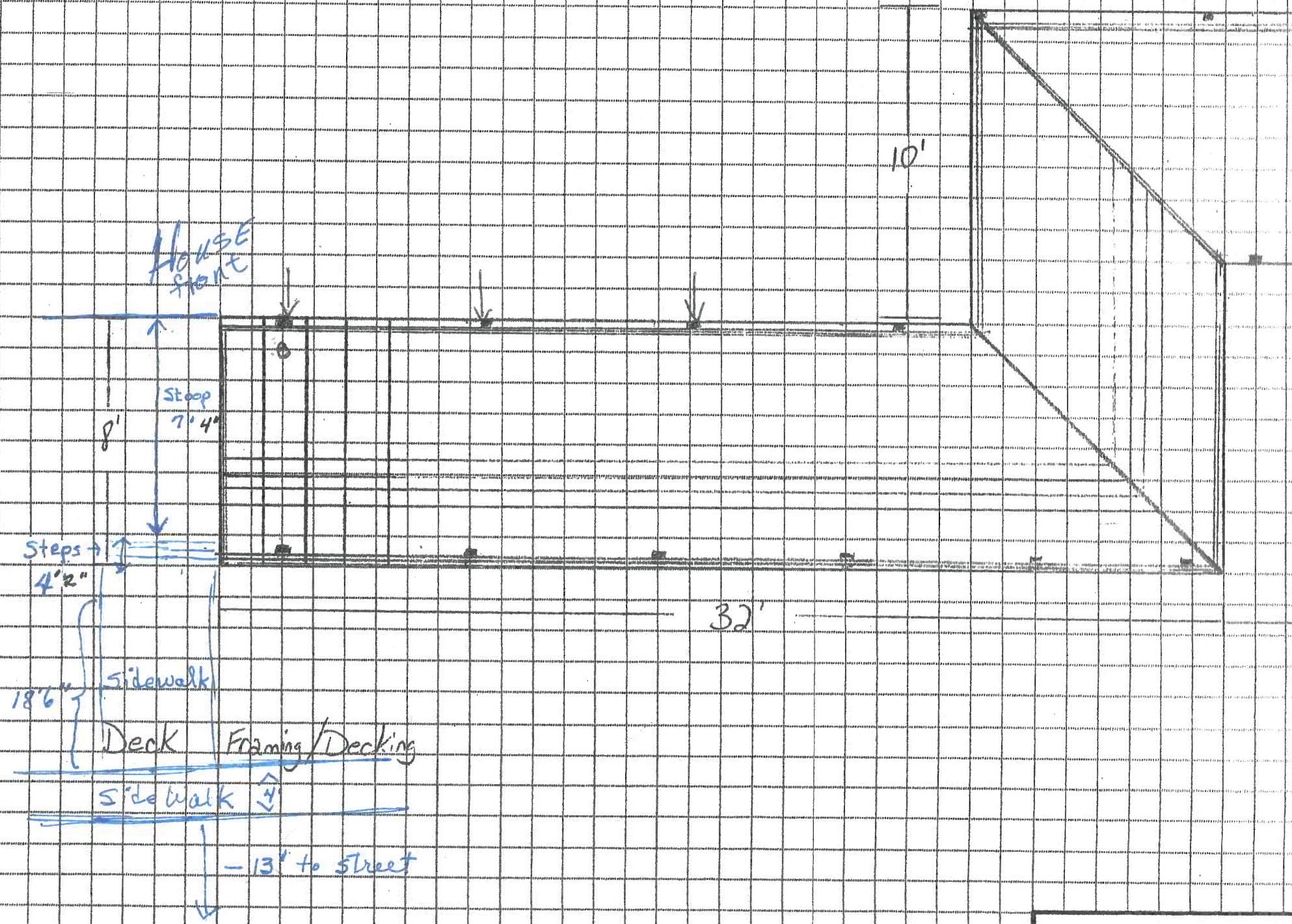
Lot 9 and that part of Lots 5, 6 and 10 in Block 22 of McClellan's Addition to Bristol described as follows:
Beginning at the Northeast Corner of said Lot 9; thence Southerly, along the Easterly Line of said Lot 9 and said Easterly Line extended, 320.0 feet to the Southerly Line of Lot 6; thence Westerly, along said Southerly Line, 100.0 feet; thence Northerly, parallel with said Easterly Line extended and said Easterly Line, 320.0 feet to the Northerly Line of said Lot 10; thence Easterly, along said Northerly Line, 100.0 feet to the point of beginning in the United City of the Village of Yorkville, Kendall County, Illinois.

JOB NO.	05062
JOB NAME	ASHLEY
DWG FILE	05062

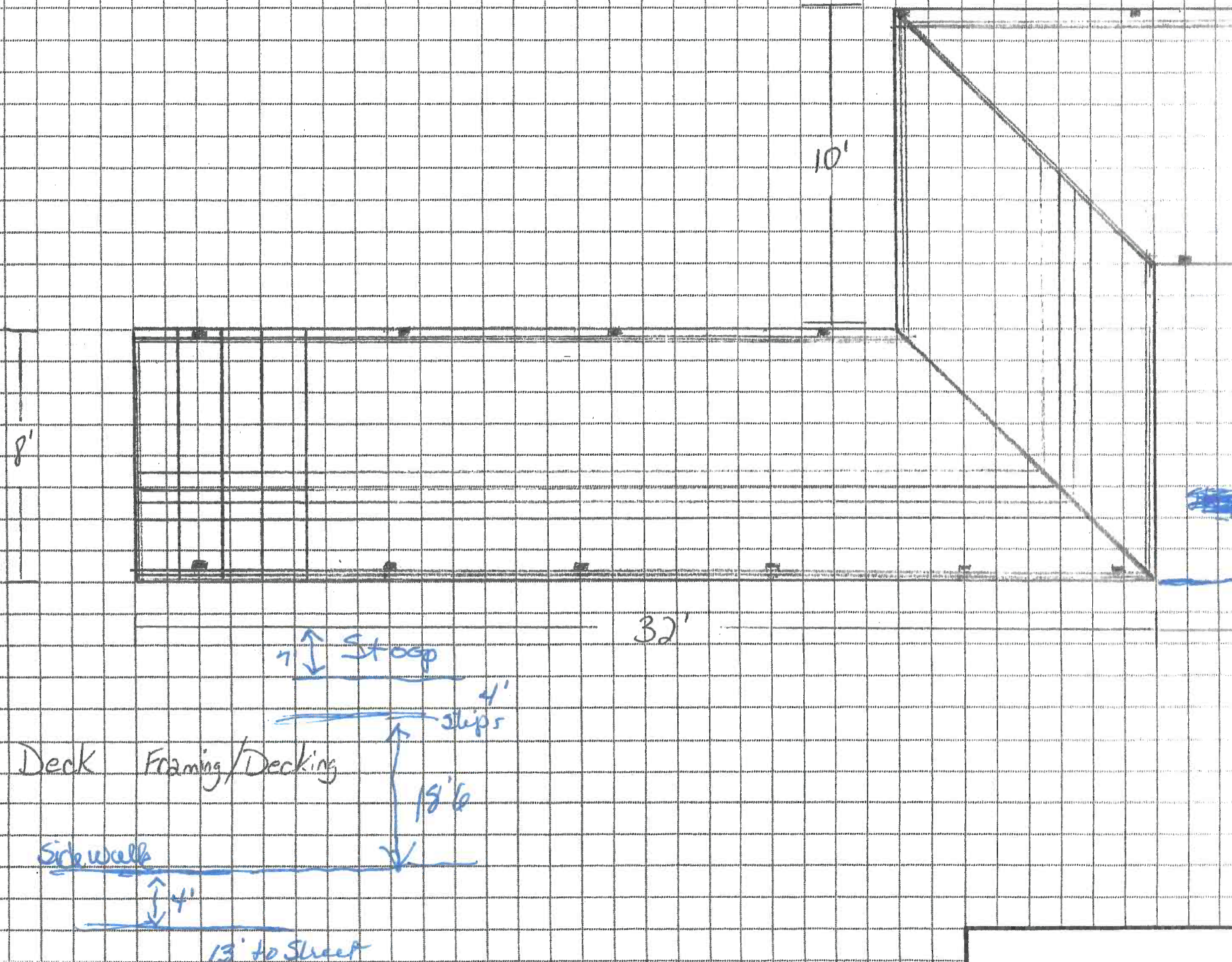
Phillip D. Young and Associates, Inc.
LAND SURVEYING – TOPOGRAPHIC MAPPING – Lic.#184-002775

1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553-1580

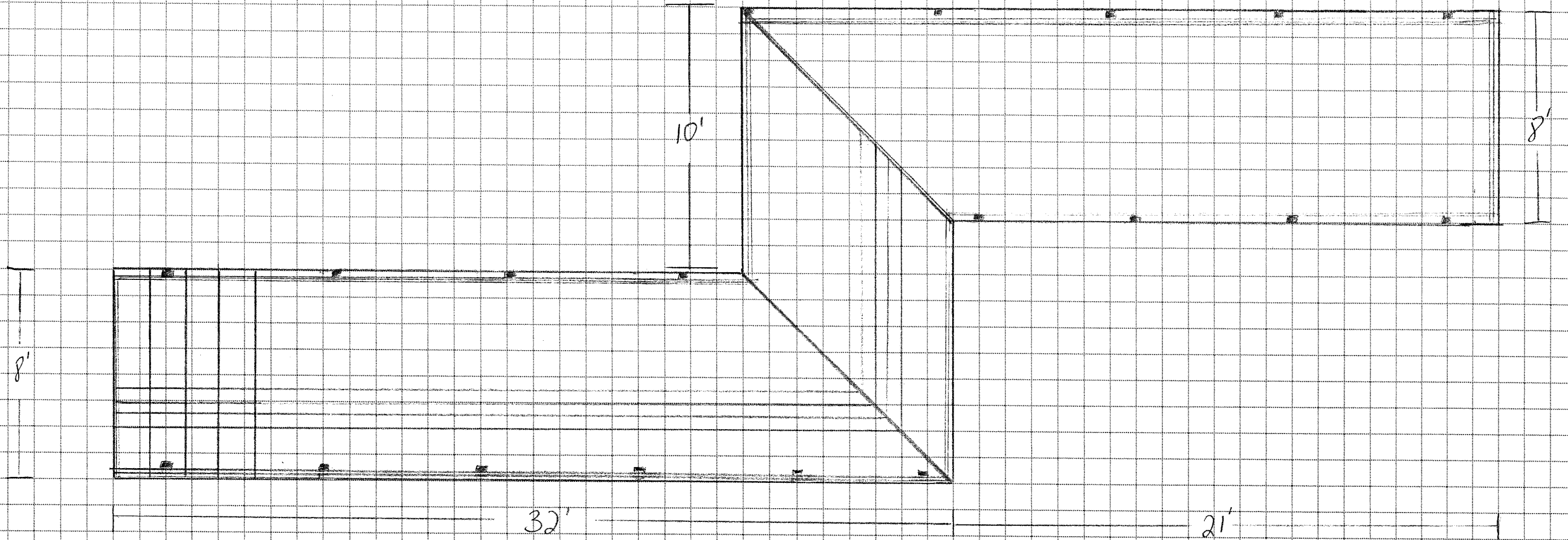
- 1" Thick composite decking



- 1" Thick composite decking



- 2" x 6" Floor Joists - Pressure Treated 16" O.C. Typical
- 2) 2" x 6" Beams with Joist Hangers
- 1" Thick composite decking



Deck Framing/Decking

Deck Plan

JOB _____

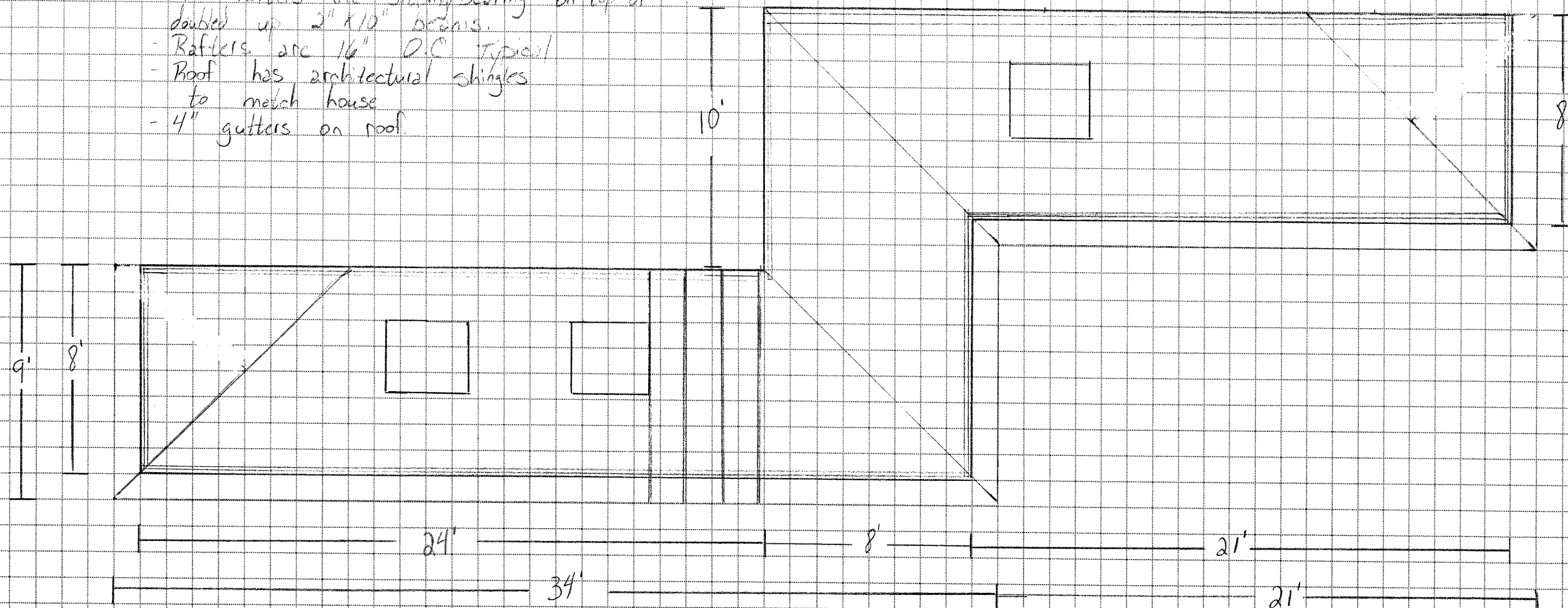
SHEET NO. _____ OF _____

CALCULATED BY _____ DATE _____

CHECKED BY _____ DATE _____

SCALE _____

- Red lines indicate roof outline.
- There is a 12" overhang past the lower deck.
- There are 3 hips and 1 valley
- Roof rafters are sitting/bearing on top of doubled up 2" x 10" beams.
- Rafters are 16" O.C. Typical
- Roof has architectural shingles to match house
- 4" gutters on roof.



- 8" Ground Level Deck
- 9" Roof covering Deck
- 16" O.C. Typical spacing for 2" x 6" Floor joists and 2" x 6" Roof rafters
- 3 - 33 1/2 x 33 1/2" Skylights lined up with windows below
- 2) 2" x 10" Beams Carrying roof rafters

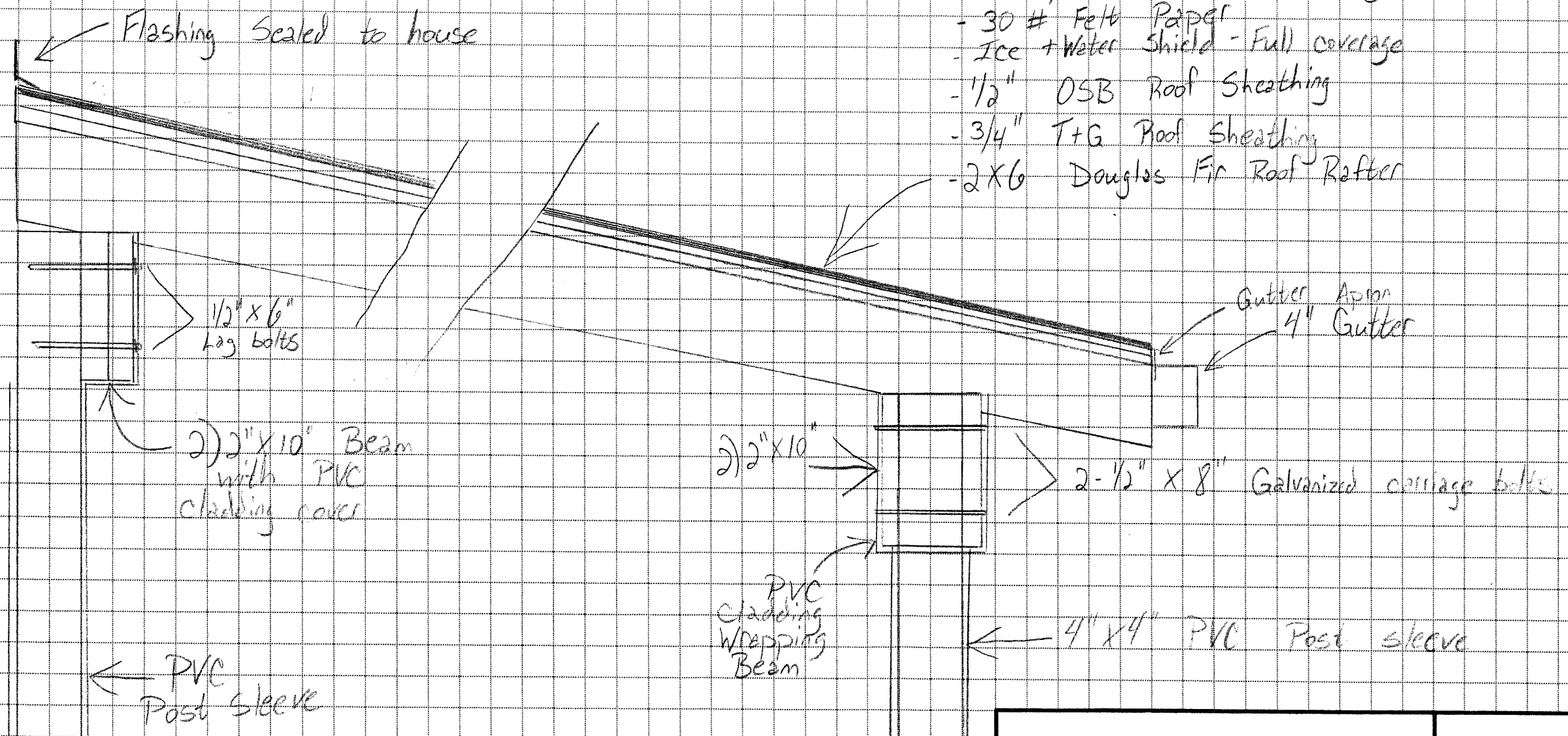
Roof
Plan

JOB _____
SHEET NO. _____ OF _____
CALCULATED BY _____ DATE _____
CHECKED BY _____ DATE _____
SCALE 1/4" = 1'

2/12 Roof Pitch

- 2X6 Douglas Fir Roof Rafters with pine 1"X6" tongue and groove cersiding on top.
- Exposed rafters and 1"X6" from underneath

- 25 year Architectural Shingle
- 30 # Felt Paper
- Ice + Water Shield - Full coverage
- 1/2" OSB Roof Sheathing
- 3/4" T+G Roof Sheathing
- 2X6 Douglas Fir Roof Rafter



Roof
Details

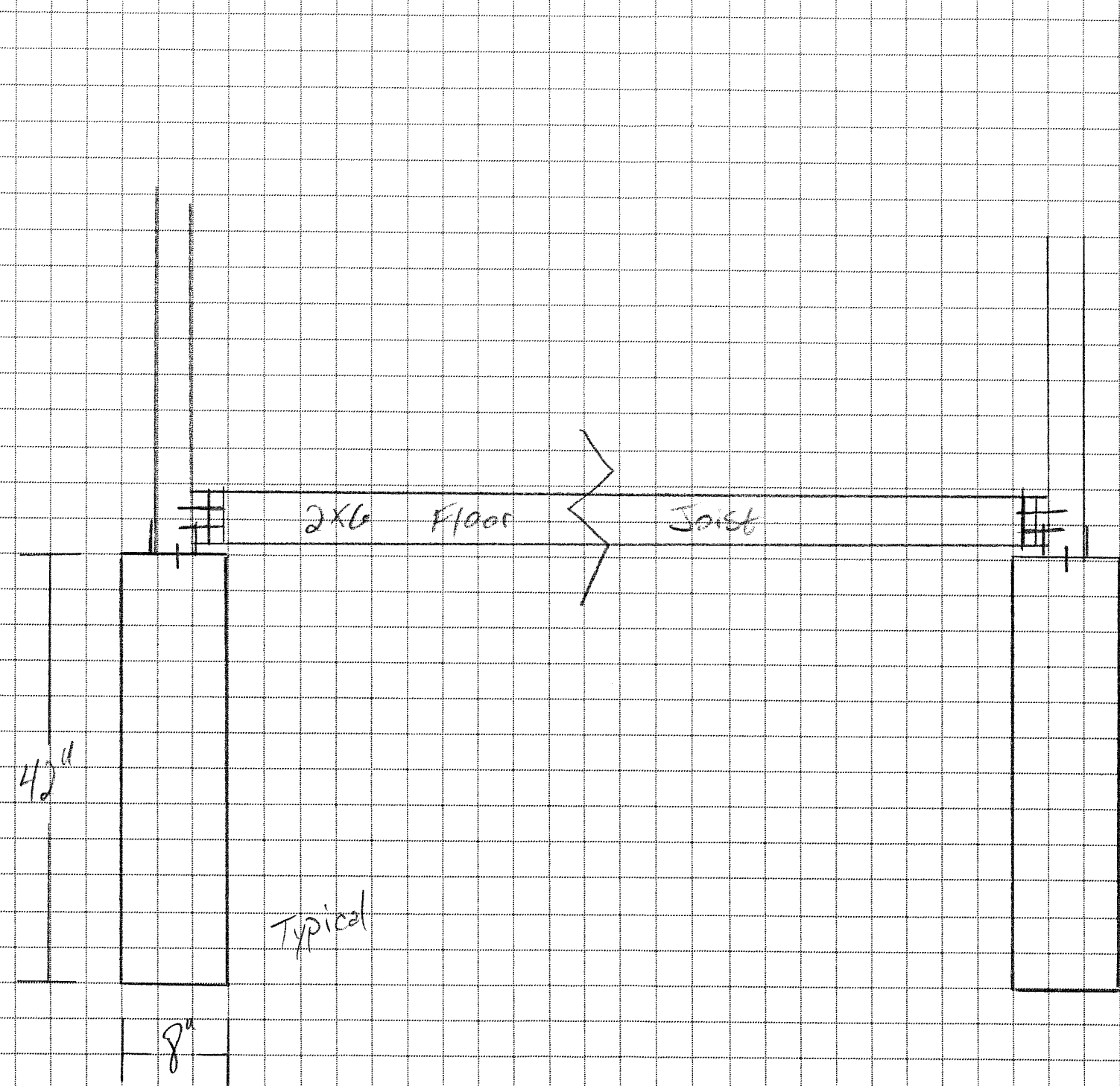
JOB _____

SHEET NO. _____ OF _____

CALCULATED BY _____ DATE _____

CHECKED BY _____ DATE _____

SCALE _____



4" x 4" post
fastened to
post bracket.
Post bracket
fastened to
concrete pile with
wedge anchor.

2-2" x 6" Beam
lag bolted to
4" x 4" post.

2-2" x 6" Beam
Joist hangers
with joists
1/2" O.C. Typical

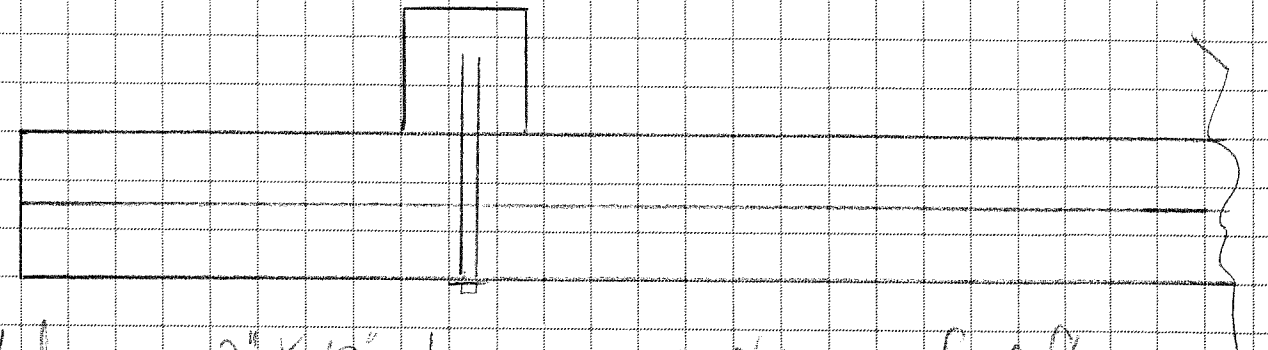
Deck is ground
level deck

All 2" x 6" beams,
floor joists, and
4" x 4" posts
are pressure treated

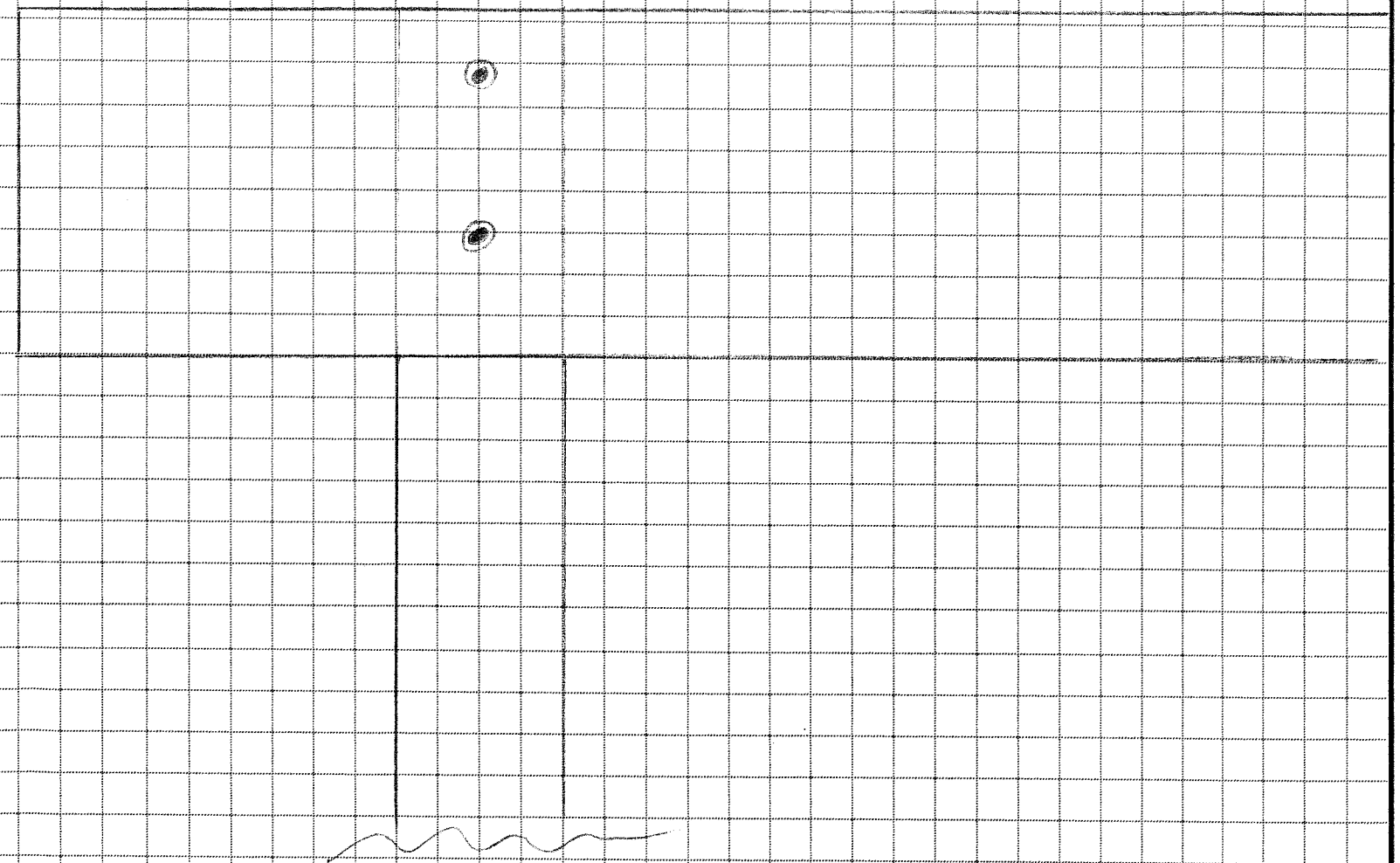
Post + Beam
Details

JOB _____
SHEET NO. _____ OF _____
CALCULATED BY _____ DATE _____
CHECKED BY _____ DATE _____
SCALE _____

- Doubled up 2"x10" Beam Fastened with 2 - 1/2"x6" Lag bolts into 4"x4".



- Doubled up 2"x10" beam supports roof rafters.



- 4"x4" Post bracket anchored into concrete pier. 4"x4" post fastened to post bracket.

- 4"x4"s are pressure treated

42"

8"
Concrete
Pier

Roof Beams
Details

JOB _____
SHEET NO. _____ OF _____
CALCULATED BY _____ DATE _____
CHECKED BY _____ DATE _____
SCALE _____

PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
THE UNITED CITY OF YORKVILLE
PLANNING & ZONING COMMISSION
PZC 2019-20

NOTICE IS HEREWITH GIVEN THAT Charles and Gayle Ashley, petitioners, have filed an application with the United City of Yorkville, Kendall County, Illinois, requesting a reduction in front yard setback from 30 feet to 20 feet for a residential parcel located at 208 E. Main Street. The purpose of this request is to allow for the reconstruction of an attached covered porch, as was part of the original home, to be located within the required front yard. The real property, zoned R-2 Traditional Family Residence District, is located east of South Bridge Street (IL Route 47) and immediately south of East Main Street in Yorkville, Illinois.

The legal description is as follows:

LOT 9 AND THAT PART OF LOTS 5, 6 AND 10 IN BLOCK 22 OF MCCLELLAN'S ADDITION TO BRISTOL DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 9; THENCE SOUTHERLY, ALONG THE EASTERLY LINE OF SAID LOT 9 AND SAID EASTERLY LINE EXTENDED, 320.0 FEET TO THE SOUTHERLY LINE OF LOT 6; THENCE WESTERLY, ALONG SAID SOUTHERLY LINE, 100.0 FEET; THENCE NORTHERLY, PARALLEL WITH SAID EASTERLY LINE EXTENDED AND SAID EASTERLY LINE, 320.0 FEET TO THE NORTHERLY LINE OF SAID LOT 10; THENCE EASTERLY, ALONG SAID NORTHERLY LINE, 100.0 FEET TO THE POINT OF BEGINNING IN THE UNITED CITY OF THE VILLAGE OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

PIN: 02-33-109-006

NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a public hearing on said application on **Wednesday, September 11, 2019 at 7:00 p.m.** at the United City of Yorkville, City Council Chambers, located at 800 Game Farm Road, Yorkville, Illinois 60560.

The public hearing may be continued from time to time to dates certain without further notice being published.

Application and information materials regarding this notice are available for public review and any questions or written comments should be addressed to the United City of Yorkville Community Development Department, City Hall, 800 Game Farm Road, Yorkville, Illinois. All interested parties are invited to attend the public hearing and will be given an opportunity to be heard.

By order of the Corporate Authorities of the United City of Yorkville, Kendall County, Illinois.

Lisa Pickering
City Clerk

Memorandum



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input type="checkbox"/> Plat <input type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres <i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i> _____ - 5 = _____ x \$10 = _____ + \$200 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres _____ - 5 = _____ x \$10 = _____ + \$250 = \$ _____ # of Acres Acres over 5 Amount for Extra Acres Total Amount		Total: \$
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00		Total: \$
PUD FEE	<input type="checkbox"/> \$500.00		Total: \$
FINAL PLAT FEE	<input checked="" type="checkbox"/> \$500.00		Total: \$ 500
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input checked="" type="checkbox"/> Over 1 acre, less than 10 acres <input type="checkbox"/> Over 10 acres, less than 40 acres <input type="checkbox"/> Over 40 acres, less than 100 acres <input type="checkbox"/> Over 100 acres	\$1,000.00 \$2,500.00 \$5,000.00 \$10,000.00 \$20,000.00	Total: \$ 2500
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use: <input type="checkbox"/> Less than 2 acres <input checked="" type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres		Total: \$ 2500
TOTAL AMOUNT DUE:			5500



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

DATE:	PZC NUMBER:	DEVELOPMENT NAME:
PETITIONER INFORMATION		
NAME: Tyler Edwards		COMPANY: Menard, Inc.
MAILING ADDRESS: 5101 Menard Drive		
CITY, STATE, ZIP: Eau Claire WI 54703		TELEPHONE: 715-876-2143
EMAIL: tedwards@menard-inc.com		FAX:
PROPERTY INFORMATION		
NAME OF HOLDER OF LEGAL TITLE: Menard, Inc.		
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN:		
PROPERTY STREET ADDRESS: 1800 Marketview Drive		
TYPE OF REQUEST:		
<input type="checkbox"/> PRELIMINARY PLAN <input checked="" type="checkbox"/> FINAL PLAT <input type="checkbox"/> AMENDED PRELIMINARY PLAN <input type="checkbox"/> AMENDED FINAL PLAT		
TOTAL LOT ACREAGE: 36.9		CURRENT ZONING CLASSIFICATION: B2
ATTACHMENTS		
Petitioner must attach a legal description of the property to this application and title it as "Exhibit A".		



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR PRELIMINARY PLAN & FINAL PLAT

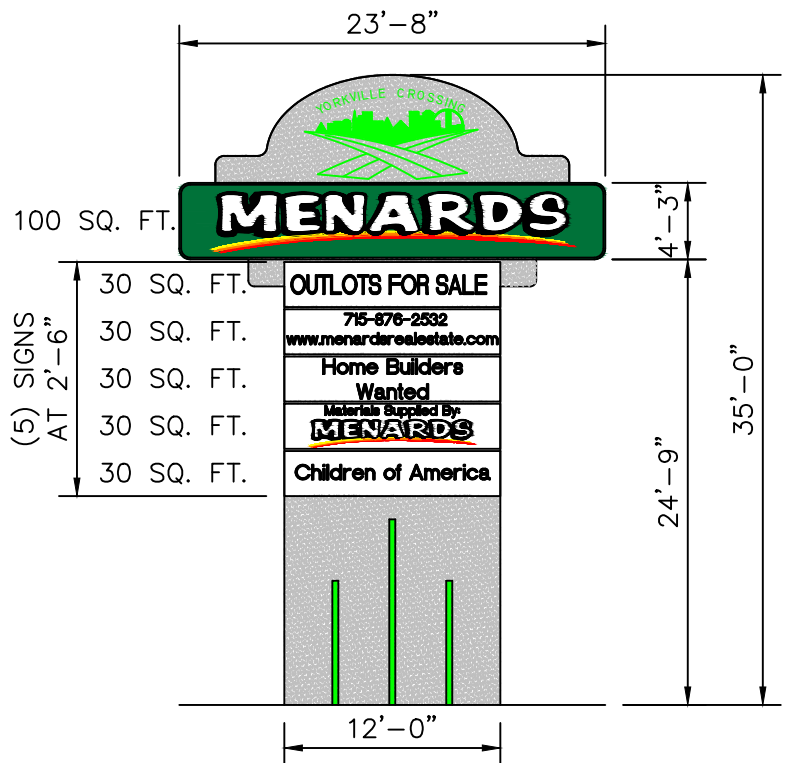
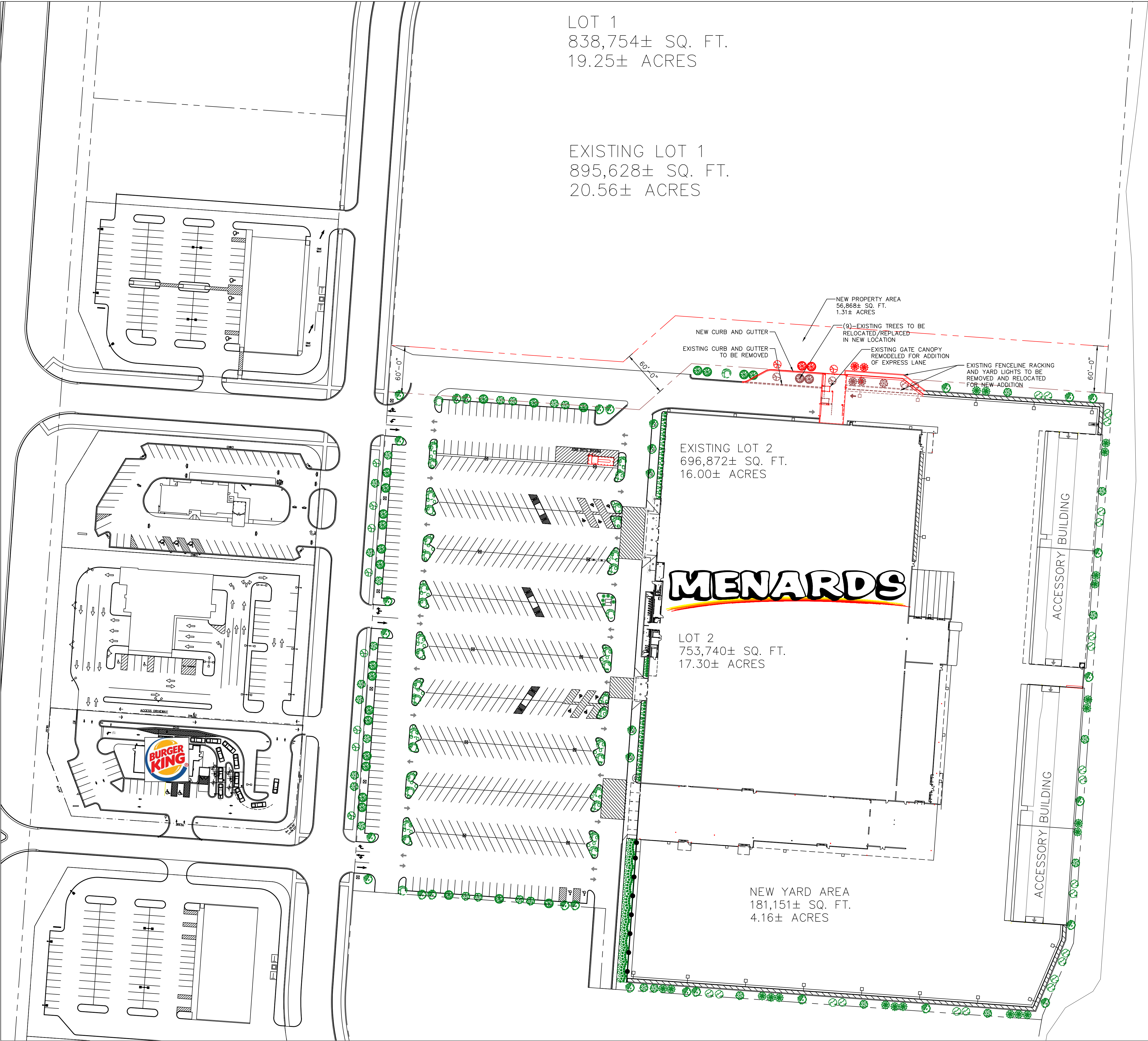
ATTORNEY INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
ENGINEER INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
LAND PLANNER/SURVEYOR INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
AGREEMENT	
<p>I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.</p> <p>I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.</p>	
<hr/>	
PETITIONER SIGNATURE	DATE
OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.	
<hr/>	
OWNER SIGNATURE	DATE
<i>Paul B. Stark</i> Paul B. Stark, Inc.	7/3/19



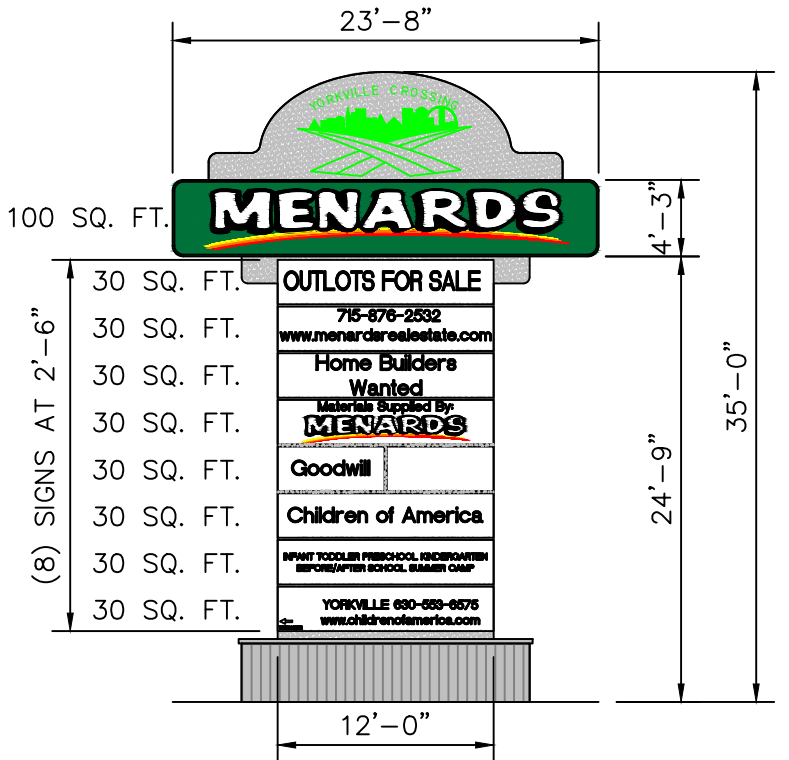
United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

PETITIONER DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER: Tyler Edwards - Real Estate Rep	FUND ACCOUNT NUMBER: Menard, Inc.	PROPERTY ADDRESS: 5101 Menard Drive
APPLICATION/APPROVAL TYPE (check appropriate box(es) of approval requested):		
<input type="checkbox"/> CONCEPT PLAN REVIEW	<input type="checkbox"/> AMENDMENT (TEXT)	<input type="checkbox"/> ANNEXATION
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MILE AND 1/2 REVIEW	<input type="checkbox"/> ZONING VARIANCE
<input type="checkbox"/> FINAL PLANS	<input type="checkbox"/> PLANNED UNIT DEVELOPMENT	<input checked="" type="checkbox"/> FINAL PLAT
PETITIONER DEPOSIT ACCOUNT FUND: It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the INVOICE & WORKSHEET PETITION APPLICATION . This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15th of the month in order for the refund check to be processed and distributed by the 15th of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.		
ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY		
NAME: Tyler Edwards - Real Estate Rep		COMPANY: Menard, Inc.
MAILING ADDRESS: 5101 Menard Drive		
CITY, STATE, ZIP: Eau Claire WI 54703		TELEPHONE: 715-876-2143
EMAIL: tedwards@menard-inc.com		FAX:
FINANCIALLY RESPONSIBLE PARTY: I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/ Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.		
Tyler Edwards _____ PRINT NAME		Real Estate Rep _____ TITLE
_____ SIGNATURE		7/3/19 _____ DATE
ACCOUNT CLOSURE AUTHORIZATION		
DATE REQUESTED: _____		<input type="checkbox"/> COMPLETED <input type="checkbox"/> INACTIVE
PRINT NAME: _____		<input type="checkbox"/> WITHDRAWN <input type="checkbox"/> COLLECTIONS
SIGNATURE: _____		<input type="checkbox"/> OTHER
DEPARTMENT ROUTING FOR AUTHORIZATION: <input type="checkbox"/> COM. DEV. <input type="checkbox"/> BUILDING <input type="checkbox"/> ENGINEERING <input type="checkbox"/> FINANCE <input type="checkbox"/> ADMIN.		



MONUMENT SIGN 'A'



MONUMENT SIGN 'B'

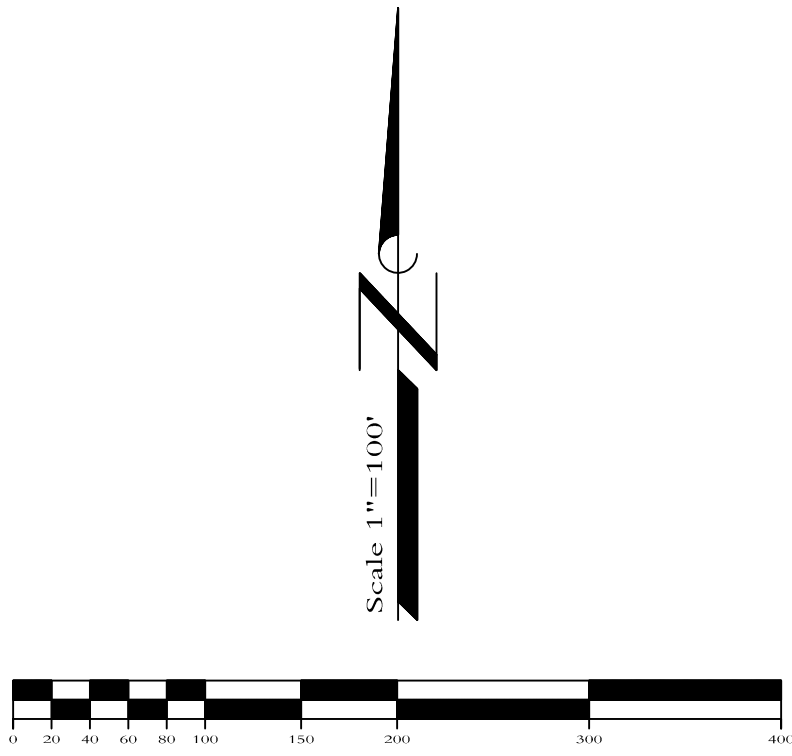
LANDSCAPE LEGEND

POINTS	SYMBOL	SCIENTIFIC, COMMON NAME	QUANTITY
31x20=620		FRAXINUS PENNSYLVANICA 'MARSHALL'S SEEDLESS', 'MARSHALL'S SEEDLESS' GREEN ASH	31
12x20=240		GINKGO BILOBA 'AUTUMN GOLD', 'AUTUMN GOLD' GINKGO	12
38x20=760		GLEDTISIA TRIACANTHOS VAR. INERMIS 'SHADEMASTER', 'SHADEMASTER' THORNLESS HONEYLOCUST	38
32x20=640		ACER PLATANOIDES NORWAY MAPLE	32
26x10=260		CRATAEGUS CRUS-GALLI, THORNLESS COCKSPUR HAWTHORN	26
24x10=240		PICEA ABIES, NORWAY SPRUCE	24
23x10=230		PICEA PUNGENS, COLORADO SPRUCE	23
184x1=184		JUNIPERUS HORIZONTALIS 'BAR HARBOR', 'BAR HARBOR' JUNIPER	184
81x1=81		POTENTILLA FRUTICOSA 'MOUNT EVEREST', 'MOUNT EVEREST' POTENTILLA	81
98x1=98		BERBERIS THUNBERGII 'CRIMSON PYGMY', 'CRIMSON PYGMY' JAPANESE BARBERRY	98

3353 TOTAL POINTS

1 SITE PLAN
SP SCALE: 1"=60'

MENARDS STORE DESIGN DEPARTMENT EAU CLAIRE, WISCONSIN			PROJECT TITLE YORKVILLE, IL P5-2001	
SCALE AS NOTED			SHEET TITLE SITE PLAN	
REVISIONS			CAD DWG NAME Yorkville	
NO. DATE DESCRIPTION			BY SHEET NO.	
			SP	



Menard's Commercial Commons Seventh Addition

Being a resubdivision of Lots 1 and 2 of Menard's Commercial Commons Fifth Addition, Yorkville, Kendall County, Illinois, being a resubdivision of Lot 1 and part of Lot 3 of Menard's Commercial Commons, a subdivision of part of Section 21, Township 37 North, Range 7 East of the Third Principal Meridian in the United City of Yorkville, Kendall County, Illinois.



Notes:
Iron pipes at all Lot corners except as noted.
All easements and setback lines granted and created by the Plat of Menard's Commercial Commons Fifth Addition, Doc. 200700014706 except as noted.

Menard's Commercial Commons Seventh Addition

State of Wisconsin }
County of Eau Claire } S.S.

This is to certify that Menard, Inc. is the owner of the lands shown and described on the annexed plat and by its duly elected officers has as such owner caused the same to be surveyed, resubdivided and platted as shown thereon for the uses and purposes therein set forth and does hereby acknowledge and adopt the same under the style and title thereon shown.

It is further certified that the lands platted herein fall within the boundaries of Yorkville Community Unit School District 115.

Given this____day of_____, A.D.2019.

by:_____
(title)

attest:_____
(title)

State of Wisconsin }
County of Eau Claire } S.S.

I, _____, a notary public in and for the County and State aforesaid do hereby certify that _____ and _____, as _____ and _____ of Menard, Inc., who are personally known to me to be the same persons whose names are subscribed to the foregoing certificate, appeared before me this day in person and acknowledged the execution of the annexed plat of resubdivision and accompanying instrument as being pursuant to authority given and as their free and voluntary act and as the free and voluntary act of Menard, Inc.

Given under my hand and notarial seal this____day of_____, A.D.2013.

notary public

State of Illinois }
County of Kendall } S.S.

Approved by the City Administrator of the United City of Yorkville, Illinois this _____ day of _____, A.D., 2019.

City Administrator

State of Illinois }
County of Kendall }

I, _____, City Engineer for the United City of Yorkville, do hereby certify that the required improvements have been installed or the required guarantee collateral has been posted for the completion of all required improvements.

Given at Yorkville, Illinois this____day of_____, A.D.2019

City Engineer

State of Illinois }
County of Kendall }

Approved and accepted by the Mayor and the City Council of the United City of Yorkville, Illinois, this _____ day of _____, 2019.

Mayor

City Clerk

State of Illinois }
County of DuPage } S.S.

This is to certify that I, John Cole Helfrich, an Illinois Professional Land Surveyor, have surveyed, resubdivided and platted those lands described as follows:

Lots 1 and 2 of Menard's Commercial Commons Fifth Addition, Yorkville, Kendall County, Illinois, being a resubdivision of Lot 1 and part of Lot 3 of Menard's Commercial Commons, a subdivision of part of Section 21, Township 37 North, Range 7 East of the Third Principal Meridian in the United City of Yorkville, Kendall County, Illinois.

Area: 1,607,049 sq.ft., 36.89 acres

I further certify that the lands described above fall in "Zone X, Area of Minimal Flood Hazard" as defined by the Federal Emergency Management Agency based on reference to Flood Insurance Rate Maps 170830037H and 170830045H, both with effective dates of January 8, 2014.

I further certify that the lands described above lie within the corporate limits of the United City of Yorkville, which has adopted a Comprehensive Plan and Map and is exercising the special powers authorized by Division 12 of Article 11 of the Illinois Municipal Code as now or hereafter amended.

I further certify that the platted lands do not border on or include any public waters of the state in which the state has property rights or interests.

I further certify that this professional service conforms to the current Illinois standards for a Boundary Survey.

All dimensions are given in feet and decimal parts thereof and are correct at 62° Fahrenheit.

Given under my Hand and Seal this____day of_____, A.D.2019.

Illinois Professional Land Surveyor 2967
exp. 11-30-20

State of Illinois }
County of Kendall } S.S.

I, _____, County Clerk in Kendall County, Illinois, do hereby certify that there are no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited taxes, and no redeemable tax sales against any of the land included in the annexed plat. I further certify that I have received all statutory fees in connection with the annexed plat. Given under my hand and seal of the County at Yorkville, Illinois this _____ day of _____, A.D., 2019.

County Clerk

State of Illinois }
County of Kendall } S.S.

This Instrument No. _____, was filed for record in the Recorder's Office of Kendall County, Illinois, on the _____ day of _____, 2007 at _____ O'Clock

____ M., and was recorded in Plat Envelope No. _____.

Given under my hand and seal of the County at Yorkville, Illinois this _____ day of _____, A.D., 2019.

County Recorder



Engineering Enterprises, Inc.

July 22, 2019

Ms. Krysti Barksdale-Noble
Community Development Director
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

Re: *Menards Plat of Resubdivision*
United City of Yorkville, Kendall County, Illinois

Dear Krysti:

We are in receipt of the following items for the above referenced project:

- Plat of Resubdivision dated June 12, 2019 and prepared by Craig Knoche & Assoc.

Our review of these plans is to generally determine their compliance with local ordinances and whether the improvements will conform to existing local systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of engineering practice. Engineering Enterprises, Inc.'s review is not intended as an in-depth quality assurance review, we cannot and do not assume responsibility for design errors or omissions in the plans. As such, we offer the following comments:

1. City certificates will need to be used. The surveyor should contact Mark Scheller with our office to obtain them electronically.
2. The minimum text size should be 0.08.
3. The text size for the existing Lots 1 and 2 should be scaled down so they are not the same size as the new Lots 1 and 2.
4. The name, address and phone number of the owners subdividing the plat needs to be on the plat.
5. The widths of all adjacent streets along with recording document numbers need to be shown.
6. The chord bearing, and length needs to be shown on the plat.
7. The locations of the two concrete monuments that are to be set need to be described and shown.

8. The basis of the bearings used in creating the plat should be provided.

The plat should be revised and resubmitted for further review. If you have any questions or require additional information, please contact our office.

Respectfully Submitted,

ENGINEERING ENTERPRISES, INC.



Bradley P. Sanderson, P.E.
Vice President

pc: Mr. Bart Olson, City Administrator (via e-mail)
Ms. Erin Willrett, Assistant City Administrator (via e-mail)
Mr. Jason Engberg, Senior Planner (via e-mail)
Mr. Eric Dhuse, Director of Public Works (via e-mail)
Mr. Pete Ratos, Building Department (via e-mail)
Ms. Dee Weinert, Admin Assistant (via e-mail)
Ms. Lisa Pickering, City Clerk (via e-mail)
Mr. Tyler Edwards, Menard, Inc. (via e-mail)
JAM, TNP, NLS EEI (Via e-mail)



Engineering Enterprises, Inc.

August 14, 2019

Ms. Krysti Barksdale-Noble
Community Development Director
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

**Re: *Menards Plat of Resubdivision
United City of Yorkville, Kendall County, Illinois***

Dear Krysti:

We are in receipt of the following items for the above referenced project:

- Plat of Resubdivision dated June 12, 2019 and prepared by Craig Knoche & Assoc.

Our review of these plans is to generally determine their compliance with local ordinances and whether the improvements will conform to existing local systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of engineering practice. Engineering Enterprises, Inc.'s review is not intended as an in-depth quality assurance review, we cannot and do not assume responsibility for design errors or omissions in the plans. As such, we offer the following comments:

1. Unaltered City certificates will need to be used.
2. The minimum text size will be 0.08.
3. The text size for the existing Lots 1 and 2 needs be scaled down so they are not the same size as the new Lots 1 and 2.
4. The name, address and phone number of the owners subdividing the plat needs to be on the plat.
5. The widths of all adjacent streets along with recording document numbers need to be shown.
6. The basis of the bearings used in creating the plat should be provided.
7. A revision date is needed on the plat.

Ms. Krysti Barksdale-Noble

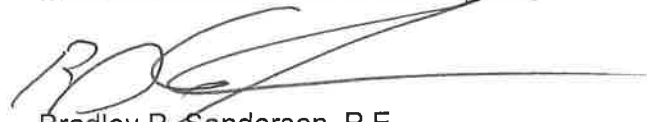
August 14, 2019

Page 2 of 2

The plat should be revised and resubmitted for further review. If you have any questions or require additional information, please contact our office.

Respectfully Submitted,

ENGINEERING ENTERPRISES, INC.

A handwritten signature in black ink, appearing to read 'B. Sanderson', with a long horizontal line extending to the right.

Bradley P. Sanderson, P.E.
Vice President

pc: Mr. Bart Olson, City Administrator (via e-mail)
Ms. Erin Willrett, Assistant City Administrator (via e-mail)
Mr. Jason Engberg, Senior Planner (via e-mail)
Mr. Eric Dhuse, Director of Public Works (via e-mail)
Mr. Pete Ratosh, Building Department (via e-mail)
Ms. Dee Weinert, Admin Assistant (via e-mail)
Ms. Lisa Pickering, City Clerk (via e-mail)
Mr. Tyler Edwards, Menard, Inc. (via e-mail)
JAM, TNP, NLS EEI (Via e-mail)